

FIRE SAFETY CODE
Rules and Regulations Promulgated by the Board of Appeal and Review

FIRE SAFETY CODE SECTION 1
DECLARATION OF POLICY

It is the policy of the State of Rhode Island to simplify, clarify and modernize the law governing fires and fire prevention, and to specify reasonable minimum requirements for fire safety. It is the statutory directive and policy of the Fire Safety Code Board of Appeal & Review to adopt rules and regulations to safeguard life and property from the hazards of fire and explosives in accordance with safe practice as embodied in widely recognized standards of good practice for fire prevention and fire protection.

FIRE SAFETY CODE SECTION 2
CONSOLIDATION OF STATE FIRE SAFETY CODE

The Fire Safety Code sections 1 to 15, as adopted herein, along with the provisions of R.I.G.L. chapters 23-28.1 through 23-28.39, shall be known as the state Fire Safety Code.

FIRE SAFETY CODE SECTION 3

The provisions of the state Fire Safety Code sections 1 to 15 are adopted pursuant to R.I.G.L. 23-28.3-3 in an effort to supplement, clarify, and modernize the minimum requirements for fire safety in new and existing buildings and facilities as outlined in R.I.G.L. chapters 23-28.1 through 23-28.39.

FIRE SAFETY CODE SECTION 4
DEFINITIONS (RESERVED)

FIRE SAFETY CODE SECTION 5
FIRE SAFETY CODE BOARD OF APPEAL & REVIEW

The Fire Safety Code Board of appeal and Review is an agency within the Public Safety Division of the Executive Department. The Governor appoints all eleven (11) members with the advice and consent of the Senate. Of the members of the board of appeal and review, one shall be a representative of the permanent fire chiefs, one shall be a representative of the building inspectors, one shall represent industry, one shall be a licensed professional engineer, one shall be a representative of the fire protection industry, one shall represent labor, one shall be a licensed architect, one shall be a representative of the volunteer fire chiefs, and three (3) shall be representatives of the public. The Governor also designates a chairman for a two (2) year term

The Fire Safety Code Board of Appeal and Review is the sole authority having jurisdiction for administration and, with the exception of RIGL chapter 23-28.4, the State Fire Marshal is the sole authority having jurisdiction for enforcement of the Fire Safety Code. The Director of Labor has exclusive jurisdiction for the enforcement of RIGL

chapter 23-28.4. Accordingly, the Fire Safety Code Board of Appeal and Review is the sole authority having jurisdiction to grant variances, waivers, modifications and amendments from, or to review and accept any proposed fire safety equivalencies and alternatives to, the strict adherence to the provisions of the Fire Safety Code and all referenced standards therein as previously enacted and/or adopted, herein and hereafter amended.

The Fire Safety Code Board of Appeal and Review is also the authority having initial jurisdiction to hear all appeals from any action taken by the State Fire Marshals Office in its capacity as the authority having jurisdiction for the strict enforcement of the provisions of the Fire Safety Code and all referenced standards therein as previously enacted and/or adopted, herein and hereafter amended. Finally, the Fire Safety Code Board of Appeal and review has initial jurisdiction to hear all appeals from any action taken by the Director of labor in the enforcement of chapter 23-28.4 of the State Fire Code.

FIRE SAFETY CODE SECTION 6
ADMINISTRATIVE POWERS OF THE FIRE SAFETY CODE
BOARD OF APPEAL & REVIEW

I. ADMINISTRATIVE APPEALS

6-1-1

Any building owner may consult with the authority having enforcement jurisdiction for advice and assistance in complying with the provisions of the state Fire Safety Code. In cases of practical difficulty, the authority having enforcement jurisdiction shall refer all requests for variations, waivers, modifications and amendments from particular provisions of the state Fire Safety Code to the Board of Appeal and Review.

6-1-2

All requests for proposed fire safety equivalencies and alternatives to strict compliance with the state Fire Safety Code shall likewise be referred to the Board of Appeal and Review.

6-1-3

Any person aggrieved by an initial interpretation of any provision of the state Fire Safety Code, by the authority having enforcement jurisdiction of that code provision, may petition Board of Appeal and Review for review of the initial interpretation.

6-1-4

The Board of Appeal and Review shall provide for reasonable interpretation of the provisions of the Fire Safety Code, and rule on appeals from decisions of the authority having enforcement jurisdiction.

6-1-5

All appeals shall be commenced by the filing of an appeal application form available at the offices of the Board of Appeal and Review and the State Fire Marshal.

6-1-6

The authority having enforcement jurisdiction shall assist the applicant in by providing all code cites and documentation necessary to complete the application form.

6-1-7

When applicable, the authority having enforcement jurisdiction shall certify the total square footage of a subject facility on the application form.

6-1-8

To be considered a completed application, the application form shall be completely filled out and signed by the owner or an authorized representative. The application shall further be accompanied by a filing fee and written inspection report, plan review report, interpretation or other related documentation generated by the authority having enforcement jurisdiction.

6-1-9

Filing fees for applications involving specific existing or proposed buildings shall be set in accordance with the schedule outlined in RIGL 23-28.3-5(b) (1) & (2). Filing fees for all other appeals shall be set in accordance with the provisions of RIGL 23-28.3-5(b) (3).

6-1-10

The requirement of a written inspection report, plan review report or other related documentation may be waived by the executive director and/or the chairman, upon consultation with the authority having enforcement jurisdiction, when, in the opinion of the executive director and/or the chairman, compliance with this requirement would impose a hardship on the applicant and/or the authority having enforcement jurisdiction.

6-1-11

Any person, other than an attorney at law, who signs an application form as an authorized representative, shall provide the Board of Appeal and Review with a letter of authorization signed by the owner of the subject facility.

II. HEARINGS AND COURT APPEALS

6-2-1

Hearings shall be scheduled by the Board of Appeal and Review within thirty (30) days of the receipt of a completed application sent to the Board by registered mail.

6-2-2

Completed applications shall be scheduled, as far as practicable, in the order they were received by the Board of Appeal and Review.

6-2-3

For good cause shown, a completed application may be scheduled for an expedited hearing by the executive director, with the approval of the chairman, upon the request of the applicant and/or the authority having enforcement jurisdiction and/or a court of competent jurisdiction.

6-2-4

For the purposes of section 6-2-3, examples of good cause would be hearings which may directly or indirectly result in the issuance or denial of a building permit, a certificate of occupancy, a license, major finding, and hearings which, if delayed, would significantly interfere with a set construction schedule or a real estate closing.

6-2-5

The chairman may delegate a subcommittee of the Board of Appeal and Review to conduct a hearing and take testimony from the petitioner.

6-2-6

A subcommittee shall consist of one or more Board of Appeal and Review members accompanied by the executive director and/or the legal counsel.

6-2-7

A subcommittee meeting may be administrative or onsite in nature. An administrative subcommittee meeting may involve the scheduling of cases, drafting of rules and regulations and/or the day-to-day administration of the office. An onsite subcommittee meeting involves a physical tour of the subject facility with notice to both the applicant and the authority having enforcement jurisdiction. The notes of the executive director and/or the legal counsel shall serve as the record of the subcommittee meeting.

6-2-8

When appropriate for an administrative subcommittee, and in each case where an onsite subcommittee is assigned, the subcommittee shall make recommendations to the Board of Appeal & Review as to their findings. A decision shall be rendered within ten (10) days of the subcommittee's report.

6-2-9

If the applicant is aggrieved by the subcommittee's recommendations, as accepted, modified and/or rejected by the decision rendered by the Board of Appeal & Review, the applicant shall have the right to petition the Board of Appeal & Review, within thirty (30) days of the mailing date of the rendered decision. The applicant shall thereupon be scheduled for hearing before the full Board of Appeal & Review.

6-2-10

All full Board of Appeal & Review hearings shall be conducted in accordance with the provisions of RIGL 42-35-9 of the Administrative Procedures Act.

6-2-11

Anytime after the Board hearing, but before a final decision is mailed, the Board of Appeal & Review may reopen a case at the request of either the applicant or the authority having enforcement jurisdiction, for purpose of taking additional previously unavailable testimony and/or evidence and uphold, modify and/or reverse its original decision.

6-2-12

Anytime after the final decision is mailed, the Board may, at the request of either the applicant or the authority having enforcement jurisdiction, and upon review of the record of the case, correct any administrative, clerical or other mistakes in the written decision to accurately reflect the record of the case. The resulting decision shall be entitled " amended decision

6-2-13

Any building owner aggrieved by any decision, modified decision or amended decision of the Board of Appeal & Review may, within thirty (30) days after the mailing date of the decision, modified decision or amended decision, commence an action in the Sixth Division of the District Court against the State Fire Marshal for review of the decision.

6-2-14

The findings of the Board of Appeal & Review shall be conclusive unless clearly erroneous.

6-2-15

A party aggrieved by a final order of the court may seek review thereof in the Supreme Court by petition for certiorari in accordance with the procedures contained in RIGL 42-35-16.

6-2-16

Commencement of a court appeal of the Board of Appeal & Review's decision does not operate as an automatic stay of the decision. [RIGL 42-35-15(c)]

6-2-17

The decisions of the Board of Appeal & Review covering specific facilities shall be considered comprehensive, integrated plans of fire safety for the subject facilities under the current use of occupancy. Accordingly, every variance granted is conditioned upon the applicant's timely and continued compliance with all of the directives of the Board of Appeal & Review. Every variance is further conditioned upon the continued use or occupancy of the subject facility under the occupancy classification reviewed by the Board in rendering its decision.

6-2-18

Failure of the applicant to initially comply with the full decision of the Board of Appeal & Review, within the stated time frame shall void all variances granted in the decision.

6-2-19

In the event of complete, timely and continued compliance with the full decision of the Board of Appeal & Review, all variances shall be deemed vested in the facility as long as the facility remains within the occupancy classification reviewed by the Board of Appeal & Review.

6-2-20

In the event the use or occupancy classification of the subject facility is changed, as outlined in RIGL 23-28-1-6, all variances granted under the original use or occupancy are void and the facility shall be reviewed under the state Fire Safety Code provisions covering the newly created use or occupancy.

III RULES AND REGULATIONS

6-3-1

The State Fire Safety Code Board of Appeal & Review shall have the power to promulgate, amend, and repeal rules and regulations to safeguard life and property from hazards of fire and explosives, consistent with the standards outlined in RIGL 23-28.3-3 and 42-35-1 through 8.

6-3-2

There shall be established a standing subcommittee of the Board to review all proposed rules and regulations, amendments and repealers to the state Fire Safety Code.

6-3-3

The standing Rules and Regulations Subcommittee shall be chaired by the vice chairman of the Board of Appeal & Review.

6-3-4

The chairman and executive director and shall be permanent members of the Rules and Regulation Subcommittee along with any additional board members appointed by the chairman.

6-3-5

The Rules and Regulation Subcommittee shall report its findings, recommendations and proposed rules to the Board of Appeal & Review.

6-4-1

The Board of Appeal & Review, at the request of any party, shall provide interpretations of both the statutory provisions and the rules and regulations which comprise the state Fire Safety Code.

6-4-2

Any party requesting an interpretation shall outline the specific request, along with all supporting documentation, in a letter addressed to the chairman of the Board of Appeal & Review.

6-4-3

The chairman, upon consultation with the executive director, shall produce a draft interpretation to be presented to the full Board of Appeal & Review.

6-4-4

The full Board may adopt, amend, or reject the proposed interpretation. The final interpretation, agreed upon by the full Board, shall be issued and numbered under a separate filing system for Board Interpretations.

6-4-5

There shall be no filing fee charged for Board Interpretations.

V. ABATEMENT

6-5-1

The fire marshal, with the approval of the chairman of the of the Board of Appeal & review, shall have the authority to summarily abate any condition which is in violation of any provision of the state Fire Safety Code and which presents immediate danger to life. RIGL 23-28.1-7(b)(2)

6-5-2

For purposes of the abatement procedure as outlined in section 6-5-1 above, the fire marshal may delegate this authority to a designated senior deputy in his absence. The chairman may delegate this authority to the vice-chairman or a senior designated board member in his absence.

FIRE SAFETY CODE SECTION 7
RHODE ISLAND FIRE PREVENTION CODE

The Fire Prevention Code of the National Fire Protection Association, Inc., Standard 1 (NFPA 1), 1997 edition, with appendices, except those portions specifically reserved, deleted, altered, added to, or otherwise amended, as outlined in Section 7 herein, and including all of the specific amendments to Standard 1. as outlined in Section 7 herein. is hereby adopted by reference as the Rhode Island Fire Prevention Code. Copies of NFPA 1, 1997 Edition, are available from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269-9101. Copies of the reservations, deletions, alterations, additions and other amendments to this code, also known as "Fire Safety Code Section 7", will be initially made available at the offices of the Rhode Island Fire Safety Code Board of Appeal & Review and the Rhode Island Fire Marshal, and subsequently available from the Michie Company, Post Office Box 7587, Charlottesville, VA 22907-6094.

The State Fire Marshal is the sole authority having jurisdiction for the strict enforcement of the Rhode Island Fire Prevention Code. The Fire Safety Code Board of Appeal & Review is the sole authority having jurisdiction for administration of the Rhode Island Fire Prevention Code. Accordingly, the Fire Safety Code Board of Appeal & Review is the sole authority having jurisdiction to grant variances, waivers, modifications and amendments from, or to review and accept any proposed fire safety equivalencies and alternatives to, the strict adherence to the provisions of the Rhode Island Fire Prevention Code and all referenced standards therein.

For the purposes of uniform administration, all exceptions listed in the Rhode Island Fire Prevention Code and its referenced standards, allowing for a discretionary waiver by the authority having jurisdiction, shall be referred directly to the Fire Safety Code Board of Appeal & Review as outlined in Fire Safety Code Section 6-1-1 et seq. The only official, formal and binding interpretations of the provisions of the Rhode Island Fire Prevention Code and its referenced standards are those approved and published by the Fire Safety Code Board of Appeal & Review pursuant to the procedures outlined in Fire Safety Code Section 6-1-3 et seq.

All existing buildings, as of June 1, 1996, shall not be subject to the provisions of the Rhode Island Fire Prevention Code's occupancy chapters (Chapters 9 through 23), and all referenced standards therein, unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All existing buildings, exempted from the provisions of the Rhode Island Fire Prevention Code's occupancy chapters, shall remain subject to the applicable occupancy provisions and all referenced standards of R.I.G.L. 23-28.1-1 et seq. All existing buildings shall be further subject to the remaining chapters (Chapters 1 through 8 and Chapters 24 through 43) of the Rhode Island Fire Prevention Code.

All buildings which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such buildings shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such buildings shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

The effective date of the current Rhode Island Fire Prevention Code shall be February 1, 1998.

The provisions of NFPA 1, 1997 edition, referenced below, and incorporated herein as the Rhode Island Fire Prevention Code, shall be preceded by the acronym "RIFPC". All of the remaining provisions of NFPA 1, 1997 edition, adopted as the Rhode Island Fire Prevention Code, but not specifically addressed below, shall likewise be identified by the acronym "RIFPC" preceding it. (Accordingly, "Chapter 1" below would be identified as "RIFPC 1". Likewise, "Section 1-1.2" below would be identified as "RIFPC 1-1.2".)

CHAPTER 1 ADMINISTRATION AND ENFORCEMENT

1-1 TITLE AND AUTHORITY

(Amd)1-1.1

The title of this Code shall be the Rhode Island Fire Prevention Code and may be cited as such.

(Add) 1-1.2

The Rhode Island Fire Prevention Code is hereby adopted pursuant to R.I.G.L. 23-28.3-3.

1-4 AUTHORITY

(Amd)1-4.1

The State Fire Marshal is the sole authority having jurisdiction for the strict enforcement of the provisions of this Code. The State Fire Marshal shall have authority to appoint and certify as many deputy state fire marshals and assistant deputy state fire marshals as are deemed necessary to strictly enforce the provisions of this Code. Accordingly, all deputy state fire marshals and assistant deputy state fire marshals shall be allowed to enforce this code as long as they maintain their certification in the above positions by the State Fire Marshal.

The Fire Safety Code Board of Appeal & Review is the sole authority having jurisdiction for administration of this Code. Accordingly, the Fire Safety Code Board of Appeal & Review is the sole authority having jurisdiction to grant variances, waivers, modifications and amendments from, or to review and accept any proposed fire safety equivalencies and alternatives to, the strict adherence to the provisions of this Code and all referenced standards herein. For purposes of uniform administration, all exceptions listed in this Code, and its referenced standards, allowing for a discretionary waiver by the authority having jurisdiction, shall be referred directly to the Fire Safety Code Board of Appeal & Review as outlined in Fire Safety Code Section 6-1-1 et seq.

(Amd) 1-4.2

Police and other enforcement agencies shall have authority to render necessary assistance in the enforcement of this Code when expressly requested to do so by the State Fire Marshal.

(Amd) 1-4.3

The State Fire Marshal may delegate to other qualified individuals such powers as are necessary for the proper enforcement of the Code. The Fire Safety Code Board of Appeal & Review may delegate to its appointed staff such powers as are necessary for the proper administration of this Code.

(Amd) 1-4.4

The State Fire Marshal is authorized to inspect, at all reasonable times, any building or premises for dangerous or hazardous conditions or materials as set forth in this Code and the general provisions of the Fire Safety Code. The State Fire Marshal may order any person(s) to remove or remedy such dangerous or hazardous condition or material. Any person(s) failing to comply with such an order shall be in violation of the Fire Safety Code. Any person so charged with a violation of this Code shall have the right to appeal the order of the State Fire Marshal to the Fire Safety Code Board of Appeal & Review. An appeal does not automatically stay the State Fire Marshal's order. However, the Chairman of the Board, or his designee, may, for good cause shown, stay the order of the State Fire Marshal pending review by the full Board.

(Amd) 1-4.5

The State Fire Marshal, with the approval of the Chairman of the Board, or his designee as outlined in Fire safety Code section 6-5-2, shall have the authority to summarily abate any condition which is in violation of any provision of the state Fire Safety Code and which presents immediate danger to life.

(Amd) 1-4.14

The State Fire Marshal, with the approval of the Chairman of the Board, or his designee as outlined in Fire Safety Code section 6-5-2, shall have the authority to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to the building occupants.

1-5 APPLICATION

(Amd) 1-5.1

All existing buildings, as of June 1, 1996, shall not be subject to the provisions of the Rhode Island Fire Prevention Code's occupancy chapters (Chapters 9 through 23), and all referenced standards therein, unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All existing buildings, exempted from the provisions of the Rhode Island Fire Prevention Code's occupancy chapters, shall remain subject to the applicable occupancy provisions and all referenced standards of R.I.G.L. 23-28.1-1 et seq. All existing buildings shall be further subject to the remaining chapters (Chapters 1 through 8 and Chapters 24 through 43) of the Rhode Island Fire Prevention Code.

All buildings which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such buildings shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such buildings shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

(Amd) 1-5.3

Applicable provisions of documents listed in Appendix D are not required, but may be used by the Fire Safety Code Board of Appeal & Review as appropriate criteria for granting a waiver or variance from the provisions of the Rhode Island Fire Prevention Code.

(Amd) 1-5.5

Buildings in existence or permitted for construction prior to February 1, 1998, shall comply with the state Fire Safety Code provisions as outlined in section 1-5.1 above. Occupied existing buildings shall further comply with the provisions of sections 1-8.2 through 4 herein.

1-6 EQUIVALENCIES AND ALTERNATIVES

(Amd) 1-6.1

Nothing in this Code is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety, as determined by the Fire Safety Code Board of Appeal & Review, to those prescribed in this Code, provided a request for variance is submitted to the Fire Safety code Board of Appeal & Review along with technical documentation to demonstrate equivalency and the system, method, or device is approved for the intended purpose.

(Amd) 1-6.2

The specific requirements of this Code may be modified by the Fire Safety code Board of Appeal & Review to allow alternative arrangements that will secure as nearly equivalent fire safety as practical.

(Amd) 1-6.3

Buildings with alternative fire protection features approved by the Fire Safety Code Board of Appeal & Review, shall be considered as conforming with this Code.

(Amd) 1-6.4

Each application for variance to allow for an alternative fire protection feature shall be filed with the Fire Safety Code Board of Appeal & Review pursuant to the provisions of the Fire Safety Code section 6-1-1 et seq. and R.I.G.L. chapter 23-28.3. Each application shall further be accompanied by such evidence, letters, statements, results of tests, or other supporting information as may be required to justify the request. The Fire Safety Code Board of Appeal & Review shall keep a record of all actions on such applications. A written comprehensive Decision shall be signed by both the Chairman or the Board member who chaired the hearing, along with the attorney on the Board's permanent staff (Executive Director or Legal Counsel) who drafted the Decision for the Board's approval. A signed Decision shall be forwarded to the Applicant, the State Fire Marshal and the local fire officials. Unless specifically noted to the contrary, the effective date of the Decision shall be the mailing date listed therein.

1-7 FIRE SAFETY CODE BOARD OF APPEAL & REVIEW

(Amd) 1-7.1

The Fire safety Code Board of Appeal & Review was originally created in 1966 as the Fire Safety Code Commission. The current composition of the Fire Safety Code Board of Appeal & Review is outlined in R.I.G.L. 23-28.3-2. The Governor appoints all eleven (11) members with the advice and consent of the Senate. Of the members of the Board of Appeal & Review, one shall be a representative of the permanent fire chiefs, one shall be a representative of the building inspectors, one shall represent industry, one shall be a licensed professional engineer, one shall represent labor, one shall be a licensed architect, one shall be a representative of the volunteer fire chiefs, and three (3) shall be representatives of the public. The Governor also designates a chairman for a two (2) year term.

(Amd) 1-7.2

Procedures, adopted by the Fire Safety Code Board of Appeal & Review, addressing administrative appeals, are outlined in Fire Safety Code sections 6-1-1 through 6-1-11.

(Amd) 1-7.3

Procedures, adopted by the Fire Safety Code Board of Appeal & Review, addressing administrative hearings and court appeals, are outlined in Fire Safety Code sections 6-2-1 through 6-2-20.

(Amd) 1-7.4

Procedures, adopted by the Fire Safety Code Board of Appeal & Review, addressing the board's rule making authority, are outlined in Fire Safety Code sections 6-3-1 through 6-3-5.

(Amd) 1-7.5

Procedures, adopted by the Fire Safety Code Board of Appeal & Review, addressing code interpretation by the board, are outlined in Fire Safety Code section 6-4-1 through 6-4-5.

1-7.6 Means of Appeals

(Amd) 1-7.6.1(d) Compliance with the strict provisions of the Rhode Island Fire Prevention Code would impose a substantial hardship on the Applicant.

(Amd) 1-7.6.2 An appeal shall be submitted to the Fire Safety Code Board of Appeal & Review, pursuant to the application procedure as outlined in Fire safety Code sections 6-1-1 through 6-1-11, within thirty (30) calendar days of notification of violation outlining the Code provision(s) from which relief is sought and the remedy proposed. The above thirty (30) calendar day period may be extended, for good cause shown, by the Executive Director, with the approval of the Chairman.

1-8 Occupancy

(Amd) 1-8.1

All existing buildings, as of June 1, 1996, shall not be subject to the provisions of the Rhode Island Fire Prevention Code's occupancy chapters (Chapters 9 through 23), and all referenced standards therein, unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All existing buildings, exempted from the provisions of the Rhode Island Fire Prevention Code's occupancy chapters, shall remain subject to the applicable occupancy provisions and all referenced standards of R.I.G.L. 23-28.1-1 et seq. All existing buildings shall be further subject to the remaining chapters (Chapters 1 through 8 and Chapters 24 through 43) of the Rhode Island Fire Prevention Code. No new construction shall be occupied in whole or in part in violation of the provisions of this Code.

All buildings which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such buildings shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such buildings shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

(Add) 1-8.2(c) The existing building is in compliance with the provisions of the applicable edition of the state Fire safety Code (R.I.G.L. 23-28.1-1 et seq.) governing its occupancy, or the building has received a written decision from the Fire Safety Code Board of Appeal & Review granting variances from the outstanding fire code deficiencies.

1-15 PERMITS AND APPROVALS

(Amd) 1-15.1 The State Fire Marshal, as the authority having jurisdiction, shall be authorized to establish and issue permits, certificates, notices, and approvals, or orders pertaining to fire control and fire hazards pursuant to this section. The issuance of all such permits, certificates, notices, approvals, and orders shall be coordinated with any other State agency which has maintained jurisdiction over the regulated area since June 1, 1996.

1-17 PLANS REVIEW

(Add) 1-17.6 Additional requirements for the review of construction drawings by the State Fire Marshal's Office are found in Fire Safety Code Section 9.

CHAPTER 2 DEFINITIONS

(Amd) 2-1 Apartment Buildings The term "Apartment Building", when used in this and all referenced codes, includes buildings containing four (4) or more living units with independent cooking and bathroom facilities, whether designated as apartment houses, tenements, garden apartments, or by any other name.

(Amd) 2-1 Authority Having Jurisdiction. The organization, office or individual responsible for "approving" equipment, an installation or a procedure, enforcing the provisions of this code, granting waivers, and accepting proposed fire safety equivalencies and alternatives. For the purposes of the Rhode Island Fire Prevention Code, and all referenced codes, the State Fire Marshal is the sole authority having jurisdiction for the strict enforcement of the provisions of this Code. The Fire Safety Code Board of Appeal & Review is the sole authority having jurisdiction to grant variances, waivers, modifications and amendments from, or to review and accept any adherence to the provisions of this Code and all referenced proposed fire safety equivalencies and alternatives to, the strict standards herein. (See generally Section 1-4.1 above)

(Amd) 2-1 Board of Appeals. When used herein shall mean the Fire Safety Code Board of Appeal & Review as outlined in R.I.G.L. 23-28.3-2.

(Amd) 2-1 Lodging or Rooming Occupancies. The term "Lodging House" or "Rooming House", when used in this and all referenced codes, includes all buildings that provide sleeping accommodations for a total of sixteen (16) or fewer persons on either a transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants; except that this classification shall not include private dwellings which accommodate not more than four (4) habitual guests, employees or other non-family members in rented rooms.

CHAPTER 3 GENERAL FIRE SAFETY REQUIREMENTS

3-1 FUNDAMENTAL REQUIREMENTS

(Amd) 3-1.1 All existing buildings, as of June 1, 1996, shall not be subject to the provisions of the Rhode Island Fire Prevention Code's occupancy chapters (Chapters 9 through 23), and all referenced standards therein, unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All existing buildings, exempted from the provisions of the Rhode Island Fire Prevention Code's occupancy chapters, shall remain subject to the applicable occupancy provisions and all referenced standards of R.I.G.L. 23-28.1-1 et seq. All existing buildings shall be further subject to the remaining chapters (Chapters 1 through 8 and Chapters 24 through 43) of the Rhode Island Fire Prevention Code.

All buildings which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such buildings shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such buildings shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All other buildings and structures shall be so constructed, arranged, equipped, maintained, and operated in accordance with this Code so as to provide a reasonable level of life safety, property protection, and public welfare from the actual and potential hazards created by fire, explosion, and other hazardous conditions.

(Amd) 3-1.1.1 Every new building, and every existing building where there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year, shall comply with the provisions of this Code and NFPA 101, Life Safety Code, 1997 edition.

3-2 ELECTRICAL FIRE SAFETY

(Amd) 3-2.2 All electrical appliances, fixtures, or wiring shall be maintained in accordance with the Rhode Island Electrical Code.

(Amd) 3-2.3 Permanent wiring shall be installed and maintained in accordance with the Rhode Island Electrical Code.

(Amd) 3-2.5 Where no applicable standards or requirements are set out in this section, compliance with the Rhode Island Electrical Code shall be deemed as evidence of compliance with the intent of this section.

(Amd) 3-2.6 Any violations of the provisions of this section shall also be referred to the State or municipal electrical inspector.

3-5 FIRE LANES

(Res) 3-5.1 through 3-5.5 Sections 3-5.1 through 3-5.5 are hereby reserved pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal & Review.

3-8 VACANT BUILDINGS

(Amd) 3-8.2 Buildings that are vacant shall maintain all required sprinklers and standpipe systems in service. The Chief of the local fire department may waive this requirement pursuant to the provisions of R.I.G.L. 23-28.1-8. The Chief of the local fire department may also refer the requested waiver to the Fire Safety Code Board of Appeal & Review.

3-9 HISTORICAL BUILDINGS

(Amd) 3-9.1 All existing buildings or structures identified and classified by the national, state or local government as historical buildings shall remain governed by the applicable provisions of R.I.G.L. 23-28.1 et seq. and/or this code according to the following standard. All existing historical buildings, as of June 1, 1996, shall not be subject to the provisions of the Rhode Island Fire Prevention Code's occupancy chapters (Chapters 9 through 23), and all referenced standards therein, unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All existing historical buildings, exempted from the provisions of the Rhode Island Fire Prevention Code's occupancy chapters, shall remain subject to the applicable occupancy provisions and all referenced standards of R.I.G.L. 23-28.1-1 et seq. All existing historical buildings shall be further subject to the remaining chapters (Chapters 1 through 8 and Chapters 24 through 43) of the Rhode Island Fire Prevention Code.

All historical buildings in which there was a change of occupancy under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a subsequent change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such buildings shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such buildings shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All historical buildings subjected to the provisions of this Code, due to a change of occupancy or more than fifty (50%) percent of the total valuation of the building being changed within one year, shall comply fully with the provisions of this Code.

(Add) 3-9.2 In all cases of practical difficulty where strict code compliance would impose a significant structural hardship upon the owner of the historical building, the owner may petition the Fire Safety Code Board of Appeal & Review for variance(s). The authority having enforcement jurisdiction shall work together with the owner in a good faith effort to develop a plan of action for fire safety which further addresses the owner's desire to preserve the historical integrity of the building. The above plan of action for fire safety shall be submitted to the Fire Safety Code Board of Appeal & Review.

CHAPTER 7 AUTOMATIC SPRINKLER SYSTEMS

7-1 WHERE REQUIRED

(Add) 7-1.2.1 All buildings covered by the provisions of the Rhode Island Fire prevention code, in which sleeping accommodations are provided for normal residential purposes and including all buildings designed to provide sleeping accommodations, shall further comply with the applicable sprinkler provisions of R.I.G.L. 23-28.1 et seq. which would have governed that residential occupancy prior to June 1, 1996.

(Amd) 7-1.3.2 Existing high rise buildings shall be protected throughout by an approved, automatic sprinkler system in accordance with this chapter when this protection is mandated by another section of this Code. For purposes of this requirement, reserved sections 7-1.3.2.1 and 7-1.3.2.2 shall not be deemed to mandate this protection.

(Res) 7-1.3.2.1 Section 7-1.3.2.1 of the Rhode Island Fire Prevention Code is hereby reserved and suspended pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal & Review.

(Res) 7-1.3.2.2 Section 7-1.3.2.2 of the Rhode Island Fire Prevention Code is hereby reserved and suspended pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal & Review.

CHAPTER 8 FIRE DETECTION AND ALARM SYSTEMS

(RESERVED AND SUPPLEMENTED)

(Res) 8-1.1 through 8-3.4.3.4 Sections 8-1.1 through 8-3.4.3.4 of the Rhode Island Fire Prevention Code are hereby reserved pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal & Review.

(Add) 8-4.1 All buildings covered by the provisions of the Rhode Island Fire Prevention Code shall further comply with the applicable fire alarm (R.I.G.L. 23-28.25-1 et seq.) provisions and/or smoke detector (R.I.G.L. 23-28.34-1 et seq.) provisions which would have governed that building's occupancy prior to June 1, 1996.

OCCUPANCY FIRE SAFETY REQUIREMENTS

CHAPTER 9 ASSEMBLY OCCUPANCIES

9-1 GENERAL REQUIREMENTS

(Amd) 9-1.1 Application. All existing assembly occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 9 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing assembly occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing assembly occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing assembly occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such assembly occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such assembly occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new assembly occupancies shall comply with the provisions of Chapter 9 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 10 EDUCATIONAL OCCUPANCIES

10-1 GENERAL REQUIREMENTS

(Amd) 10-1.1 Application. All existing educational occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 10 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing educational occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing educational

occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing educational occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such educational occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such educational occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new educational occupancies shall comply with the provisions of Chapter 10 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 11 DAY CARE OCCUPANCIES

11-1 GENERAL

(Amd) 11-1.1 Application. All existing day-care occupancies (Day-Care Centers, Group Day-Care Homes, and Family Day-Care Homes), as of June 1, 1996, shall not be subject to the provisions of Chapter 11 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing day care occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing day care occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing day care occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such day care occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such day care occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new day care occupancies shall comply with the provisions of Chapter 11 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 12 HEALTH CARE OCCUPANCIES

12-1 GENERAL REQUIREMENTS

(Amd) 12-1.1 Application. All existing health care occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 12 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing health care occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing health care occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing health care occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such health care occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such health care occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new health care occupancies shall comply with the provisions of Chapter 12 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 13 RESIDENTIAL BOARD AND CARE OCCUPANCIES

13-1 GENERAL REQUIREMENTS

(Amd) 13-1.1 Application. All existing residential board and care occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 13 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing residential board and care occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing residential board and care occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing residential board and care occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such residential board and care occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such residential board and care occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new residential board and care occupancies shall comply with the provisions of Chapter 13 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 14 AMBULATORY HEALTH CARE CENTERS

14-1 GENERAL REQUIREMENTS

(Amd) 14-1.1 Application. All existing ambulatory health care occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 14 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing ambulatory health care occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing ambulatory health care occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing ambulatory health care occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such ambulatory health care occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such ambulatory health care occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new ambulatory health care occupancies shall comply with the provisions of Chapter 14 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 15 DETENTION AND CORRECTIONAL OCCUPANCIES

15-1 GENERAL REQUIREMENTS

(Amd) 15-1.1 Application. All existing detention and correctional occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 15 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing detention and correctional occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing detention and correctional occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing detention and correctional occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such detention and correctional occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such detention and correctional occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new detention and correctional occupancies shall comply with the provisions of Chapter 15 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

16-1 GENERAL REQUIREMENTS

(Amd) 16-1.1 Application. All existing hotel and dormitory occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 16 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing hotel and dormitory occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing dormitory and hotel occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing dormitory and hotel occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9

through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such hotel and dormitory occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such hotel and dormitory occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new dormitory and hotel occupancies shall comply with the provisions of Chapter 16 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 17 APARTMENT BUILDINGS

17-1 GENERAL REQUIREMENTS

(Amd) 17-1.1 Application. All existing apartment building occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 17 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing apartment building occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing apartment building occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing apartment building occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such apartment building occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such apartment building occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new apartment building occupancies shall comply with the provisions of Chapter 17 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 18 LODGING OR ROOMING HOUSES

18-1 GENERAL REQUIREMENTS

(Amd) 18-1.1 Application. All existing lodging or rooming house occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 18 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing lodging or rooming house occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing lodging or rooming house occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing lodging or rooming house occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such lodging or rooming house occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such lodging or rooming house occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new lodging or rooming house occupancies shall comply with the provisions of Chapter 18 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 19 ONE- AND TWO-FAMILY DWELLINGS

(RESERVED)

(Res) 19-1.1 Chapter 19 of the Rhode Island Fire Prevention Code is hereby reserved pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal & Review.

CHAPTER 20 MERCANTILE OCCUPANCIES

20-1 GENERAL REQUIREMENTS

(Amd) 20-1.1 Application. All existing mercantile occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 20 of the Rhode Island Fire Prevention Code,

unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing mercantile occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing mercantile occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing mercantile occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such mercantile occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such mercantile occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new mercantile occupancies shall comply with the provisions of Chapter 20 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 21 BUSINESS OCCUPANCIES

21-1 GENERAL REQUIREMENTS

(Amd) 21-1.1 Application. All existing business occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 21 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing business occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing business occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing business occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such business occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such business occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new business occupancies shall comply with the provisions of Chapter 21 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 22 INDUSTRIAL OCCUPANCIES

22-1 GENERAL REQUIREMENTS

(Amd) 22-1.1 Application. All existing industrial occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 22 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing industrial occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing industrial occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing industrial occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such industrial occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such industrial occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new industrial occupancies shall comply with the provisions of Chapter 22 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 23 STORAGE OCCUPANCIES

23-1 GENERAL REQUIREMENTS

(Amd) 23-1.1 Application. All existing storage occupancies, as of June 1, 1996, shall not be subject to the provisions of Chapter 23 of the Rhode Island Fire Prevention Code, unless more than fifty (50%) percent of the total valuation of the building is to be changed within one year. The above existing storage occupancies shall remain subject to the provisions of R.I.G.L. 23-28.1-1 et seq. All such existing storage occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All existing storage occupancies which were constructed and/or occupied under the prior edition of the Rhode Island Fire Prevention Code occupancy chapters (Chapter 7-9 through 7-23), and all referenced standards therein, shall not be subject to the current (1997) Rhode Island Fire Prevention Code occupancy chapters (Chapter 9 through 23), unless there has been a change of occupancy or more than fifty (50%) percent of the total valuation of the building is to be changed within one year. All such storage occupancies shall remain subject to the applicable occupancy provisions and all referenced standards of the prior edition of the Rhode Island Fire Prevention Code (effective date June 1, 1996). All such storage occupancies shall further be subject to the remaining Chapters (chapters 1 through 8 and chapters 24 through 43) of the current Rhode Island Fire Prevention Code.

All new storage occupancies shall comply with the provisions of Chapter 23 of the current Rhode Island Fire Prevention Code and the 1997 Edition of NFPA 101 Life Safety Code.

CHAPTER 25

SPECIAL STRUCTURES AND HIGH RISE BUILDINGS

(RESERVED AND AMENDED IN PART)

(Res) 25-1 The existing high-rise provisions of Section 25-1.1 of the Rhode Island Fire Prevention Code are hereby reserved pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal and Review.

(Add) 25-1.1 New and existing special structures and new high-rise buildings shall comply with the 1997 edition of NFPA 101.

CHAPTER 28

FLAMMABLE AND COMBUSTIBLE LIQUIDS

28-2 TANK STORAGE

(Res) 28-2.3.3 Section 28-2.3.3, which includes sections 28-2.3.3.1, 28-2.3.3.2 and 28-2.3.3.3 of the Rhode Island Fire Prevention Code is hereby reserved pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal and Review.

CHAPTER 30

LIQUEFIED PETROLEUM GASES LIQUEFIED NATURAL GASES

(RESERVED)

(Res) 30-1.1 Chapter 30 of the Rhode Island Fire Prevention Code is hereby reserved pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal and Review.

CHAPTER 31
FIREWORKS/MODEL ROCKETRY

(RESERVED)

(Res) 31-1.1 Chapter 31 of the Rhode Island Fire Prevention Code is hereby reserved pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal and Review.

CHAPTER 38
EXPLOSIVE MATERIALS

(RESERVED)

(Res) 38-1.1 Chapter 38 of the Rhode Island Fire Prevention Code is hereby reserved pending future review by the Rules and Regulations Subcommittee of the Fire Safety Code Board of Appeal and Review.

FIRE SAFETY CODE SECTION 8
(RESERVED)

FIRE SAFETY CODE SECTION 9
APPLICATION FOR REVIEW OF CONSTRUCTION DRAWINGS
BY THE STATE FIRE MARSHAL'S OFFICE

I. GENERAL

9-1-1 DEFINITIONS

For the purpose of the rules and regulations as outlined in section 9 herein, the following terms shall have the meaning as indicated:

- a. BUILDING - This term shall apply to that which is used or intended for supporting or sheltering any use or occupancy.
- b. CODE - The term "code" shall mean the fire safety code established under the provisions of section 23-28.1-1 of the general laws.
- c. OCCUPANCY - The purpose for which a building or part thereof is used or intended to be used.

d. PERMIT - An official document or certificate issued by the building official authorizing performance of a specified activity.

9-1-2.

These rules and regulations govern the procedure required for an application for fire code plan review, by the State Fire Marshal's Office and further establishes specific requirements in relation to construction drawings for buildings regulated by the fire safety code.

9-1-3.

The State Fire Marshal's Office shall be responsible for the administration and enforcement of these rules and regulations.

II. APPLICATION FOR REVIEW

9-2-1 WHEN REVIEW IS REQUIRED

When a review is required by section 23-28.1-6 of the general laws, an application for review of construction drawings may be required by the authority having jurisdiction.

9-2-2 FORM OF APPLICATION.

When required the application for review shall be submitted in such form as the authority having jurisdiction may prescribe.

9-2-3 APPLICANT.

Application for review may be made by the owner, lessee of the premises, or by the agent of either, or by the engineer, architect or designer employed in connection with the proposed work.

9-2-4 PLANS AND SPECIFICATIONS.

The application for review shall be accompanied by not less than four (4) copies of construction drawings drawn to scale with sufficient clarity and detailed dimensions to show the nature and the character of the proposed work. Where deemed necessary, test numbers or other data may be required to document code conformance. Four (4) sets of specifications may also be required, where construction drawings may not contain adequate information pertaining same.

9-2-5 AMENDMENTS TO APPLICATION

Amendments of any type may be filed prior to the completion of work as described in the application. Said amendments shall be deemed a part of the original submittal and shall be filed with same.

9-2-6 APPROVED PLANS

The authority having jurisdiction shall endorse all plans, specifications or other documents which are approved. Corrections, deletions or amendments must be indicated and initialed by the authority having jurisdiction. The endorsement of plans, specifications or other documents shall be construed only to indicate conformance to the appropriate code.

9-2-7 POSTING OF APPROVED PLANS.

A copy of the approved plans, specifications or other documents, shall be conspicuously posted on the job site, at all times until a certificate of occupancy has been issued by the building official. One (1) set may be retained by the approving authority having jurisdiction, and the remaining set shall be filed with the building official.

III. RECORDS AND FEES

9-3-1 RECORDS KEPT.

The State Fire Marshal's Office shall keep an official record of all construction drawings approved by his office, which shall be open for public inspection at all appropriate times.

9-3-2 PLANS KEPT.

The State Fire Marshal's Office shall retain all construction drawings, application forms, specifications and other related data for as long as the structure or building to which they relate remains in existence.

9-3-3 METHOD OF KEEPING PLANS

The State Fire Marshal shall retain approved construction drawings in blueline form for one (1) year following the fiscal year in which the plan was submitted to his office. Upon elapse of the one (1) year period, the drawings will be converted to microfilm and retained in accordance with 3.1.1 above. Specifications will not be subject to the provisions of microfilming.

9-3-4 FEES.

The fee for review and microfilming of construction drawings shall be calculated in accordance with RIGL 23-28.2-26 and shall be paid by the applicant at the time of receipt of approved drawings. Said fee shall be in check or money order form, made payable to the GENERAL TREASURER, State of Rhode Island. The charge for obtaining a print from microfilm will be one dollar and fifty cents (\$1.50) per sheet, in check or money order form made payable to the GENERAL TREASURER, State of Rhode Island. Payment shall be made at the time of request.

IV. ALL EXISTING RELATED ADMINISTRATIVE REGULATIONS REPEALED AND SUPERSEDED BY SECTION 9 HEREIN

9-4-1.

All previously adopted administrative rules and regulations, including, but not limited to those adopted, and filed with the Secretary of State's Office, by the State Fire Marshal and/or the Division of fire Safety on November 24, 1980 and August 31, 1979, related to the application for review of construction drawings by the State Fire Marshal are hereby repealed and superseded by the provisions of the Fire Safety Code Section 9 as outlined above.

FIRE SAFETY CODE SECTION 10 THE KEEPING, USING, TRANSPORTING AND STORAGE OF EXPLOSIVES

I GENERAL PROVISIONS:

10-1-1

The handling and firing of explosives shall be performed by a person possessing a license to conduct blasting operations and a user's permit.

10-1-2

A permit to blast shall be obtained from the State Fire Marshal at least three (3) working days prior to requested blast time. Working days are Monday through Friday; with Saturday, Sunday and Holidays excluded.

10-1-3

No person shall handle explosives while under the influence of intoxicants or narcotics, or while in an emotional state.

10-1-4

Blasting shall be conducted so as to prevent injury, hazards or unsafe conditions to persons or damage to property outside the controlled blasting site, and the State Fire Marshal may require certain precautionary procedures at any time to protect life and property. The State Fire Marshal may suspend, revoke or deny a permit to blast at any location for just cause if no precautionary steps are available to adequately protect life and property.

10-1-5

No person shall carry matches or smoke while handling explosives, or while in the vicinity thereof. There shall be no open flame in the vicinity.

10-1-6

Blasting operations shall be conducted between sunrise and sunset; exceptions may be authorized by the State Fire Marshal.

10-1-7

Precautions shall be taken to prevent accidental discharge of blasting caps and explosives from current induced by radios, radar transmitters, lightning, adjacent power lines, dust storms, or other sources of extraneous electricity. These shall include:

- a. The suspension of all blasting operations and removal of persons from the blasting area during the approach and progress of an electrical storm.
- b. The posting of signs warning against the use of mobile radio transmitters on all roads within three hundred feet (300') of the blasting site.
- c. Caution must be taken by following the recommendations of the Institute of Makers of Explosives, and/or by the use of non-electric blasting caps, in the one and one-half (1 1/2) mile radius of radios, transmitters, or high tension power lines.

10-1-8

Whenever blasting is being conducted in the vicinity of gas, electric, water, fire alarm, telephone, or any other utility, the blaster shall immediately notify the appropriate representatives of such utilities in advance of blasting, specifying the location and intended time of blasting.

10-1-9

Persons authorized to prepare explosive charges or conduct blasting operations shall use every reasonable precaution; including, but not limited to, warning signals, flags, barricades, or woven wire mats to ensure the safety of the general public and workmen.

10-1-10

Water-gels, binary energy agents, or any similar agents manufactured for the purpose of producing an explosive material shall be transported, stored, and used as specified for explosives in these rules and regulations.

10-1-11

Empty boxes and paper and fiber packaging materials which have previously contained explosives shall not be used again for any purpose, but shall be destroyed by burning at an approved isolated location out of doors and no person shall be nearer than one hundred feet (100') after burning has started.

II. USE OF EXPLOSIVES:

10-2-1

No spark-producing tools shall be used to open kegs or wooden cases or any other explosives container.

10-2-2

Wood containers of explosive materials shall not be opened within fifty feet (50') of any magazine.

10-2-3

No explosives shall be carried in the pockets, on clothing, or elsewhere on a person.

10-2-4

No explosive materials shall be abandoned in any location, or for any reason. No explosives shall be left unattended where they may be accessible to unauthorized persons or children.

10-2-5

No primers shall be made up in excess of the immediate needs.

10-2-6

No primers shall be made up in a magazine or near an excessive amount of explosives.

10-2-7

Nothing other than a fuse shall be inserted into the open end of a blasting cap and no blasting cap shall be tampered with.

10-2-8

When a safety fuse is used, the blasting cap shall be securely attached to the fuse only with an approved cap crimper.

10-2-9

No blasting cap shall be forced into any explosive, but shall be inserted into a hole made with suitable punch.

10-2-10

Primers shall be made up with proven and established methods from the Dupont Blasters' Handbook. The cap shall be securely encased in the explosive and so secured that no tension be placed on the wires or the fuse at the point of entry into the cap.

10-2-11

No explosives that have been water-soaked shall be reclaimed for use without first determining from the manufacturer if explosives are usable.

10-2-12

When blasting is done in a congested area, or in close proximity to a structure, railway, or highway, or any other installation that may be damaged, the blast shall be covered before firing with a mat constructed so that it is capable of preventing fragments from being thrown.

10-2-13

Before a blast is fired, the person in charge shall make certain all surplus explosives are in a safe place; all persons vehicles and equipment are at a safe distance or under sufficient cover, and that a loud warning signal has been sounded.

10-2-14

If there are any misfires while using cap-and-fuse, all persons shall remain away from the charge for at least one (1) hour. If electric blasting caps are used and a misfire occurs, this waiting period may be reduced to thirty (30) minutes. Misfires shall be handled under the direction of the person in charge of the blasting and wires shall be carefully traced and a search made for unexploded charges.

10-2-15

Blasters, when testing circuits to charged holes, shall use only blasting galvanometers designed for this purpose, or other instruments approved for the purpose by a nationally recognized testing laboratory.

10-2-16

Only the man making leading wire connections in electrical firing shall fire the shot. All connections shall be made from the bore hole back to the source of firing current, and the lead wires shall remain shorted and not be connected to the blasting machine or other source of current until the charge is to be fired.

10-2-17

All explosives shall be handled carefully at all times and be protected against sudden shock or any such source which may cause detonation or de-flagration.

10-2-18

There shall be no smoking, matches, or any source of fire or flame within one hundred feet (100') of an area in which explosives are being handled or used, nor shall explosives be placed where they may be exposed to flame, excessive heat, sparks, or impact.

10-2-19

All connections, such as the connecting of blasting caps to detonating cord, shall be done according to methods recommended by the manufacturer.

10-2-20

Dynamite that has been removed from the cartridge shall not be tamped.

10-2-21

Explosives in bore holes shall be confined with sand, earth, clay, or other suitable non-combustible stemming material.

10-2-22

Caution shall be taken so as not to kink or damage fuse or electric blasting cap wires when tamping or loading.

10-2-23

The electric firing circuit shall be completely insulated from the ground and other conductors.

10-2-24

Only electric blasting caps of the same type and function from the same manufacturer shall be used in the same circuit.

10-2-25

All electric blasting caps shall be connected with good contact made and all firing shall be done with no less than the minimum current specified by the manufacturer.

10-2-26

Fuse shall be handled carefully so as to avoid damaging the covering or separating the filler.

10-2-27

A sufficient length of fuse shall be used so as to allow ample time to reach a place of safety. Never use less than two feet (2').

10-2-28

In cutting, seating and crimping the fuse to the cap, the recommended methods from the Dupont Blaster's Handbook shall be used.

10-2-29

All drill holes shall be sufficiently large to admit freely the insertion of the packages of explosive material.

10-2-30

No holes shall be loaded, except those to be fired in the next round of blasting. after loading, all remaining explosives shall be immediately returned to an authorized magazine.

10-2-31

No person shall be allowed to deepen drill holes which have contained explosives.

10-2-32

Drilling shall not be started until all remaining butts of old holes are examined with a wooden stick for unexploded charges and, if any are found, they shall be refired before work proceeds.

10-2-33

Upon the discovery of any unfired explosives, all working operations in that area shall be stopped until such explosives are properly disposed of

10-2-34

Pneumatic loading of blasting agents into blast holes primed with electric blasting caps or other static systems shall conform to the following requirements:

a. A positive grounding device shall be used to prevent the accumulation of static electricity.

b. A semi-conductor discharge hose shall be used.

c. A qualified person shall evaluate all systems to assure that they will adequately dissipate static potential under field conditions.

10-2-35

No explosive material shall be extracted from a hole that has once been charged or has misfired unless it is impossible or hazardous to detonate the unexploded charge by insertion of an additional primer.

10-2-36

Tamping shall be done only with wood rods without exposed metal parts but, non-sparking metal connectors may be used for jointed poles. Violent tamping shall be avoided. Primed cartridges shall not be tamped.

10-2-37

No holes shall be loaded, except those that are to be fired the same day.

10-2-38

No bore hole shall be loaded until it has been carefully checked with a wooden tamping pole to determine its condition.

10-2-39

Surplus explosives shall not be kept near the working area during loading.

10-2-40

Detonating cord, extending into a bore hole, shall be cut from the spool before the remainder of the charge is loaded.

10-2-41

No bore hole shall be loaded after being drilled or sprung until it is certain that it is cool and that it does not contain any hot metal or burning or smoldering material. No bore hole shall be loaded if its internal temperature approaches or exceeds 150 degrees.

10-2-42

No bore hole shall be sprung with explosives while near another bore hole loaded with explosives.

10-2-43

No hole, or series of holes, shall be fired in the vicinity of another loaded hole or series of loaded holes unless they are to be fired in an instantaneous or delayed series as approved by the manufacturer.

10-2-44

No damaged leading or connecting wire shall be used in any blasting circuits.

10-2-45

Frozen or partially frozen explosives shall not be placed or used in bore holes.

10-2-46

Caution shall be taken not to drop a large size heavy cartridge directly on the primer.

10-2-47

When blasting near power lines, no leg or lead wires shall be long enough to come into contact with the electric power lines.

III. STORAGE OF EXPLOSIVES ON LAND:

10-3-1

Explosives shall be stored only in magazines which are clean, dry, well ventilated where appropriate, reasonably cool, properly located, substantially constructed, bullet and fire resistant, and securely locked.

10-3-2

No explosives shall be stored near oil, gas, cleaning solvents, or any other flammable or corrosive substances.

10-3-3

Explosives shall be stored in an approved magazine at least five hundred feet (500') away from blasting operations.

10-3-4

No explosives shall be stored near any source of possible heat, fire or flame, nor shall combustible or flammable debris be allowed to accumulate near explosives.

10-3-5

In the event that nitroglycerin from deteriorated explosives has leaked onto a floor or other area, the manufacturer shall be consulted as to the desensitizing process. The State Fire Marshal shall also be notified.

10-3-6

No smoking, burning, discharging of firearms, or other possible source which could cause detonation or deflagration of explosives shall be allowed in the vicinity of any explosives magazine.

10-3-7

Each magazine shall at all times be under the control of a competent person.

IV. TRANSPORTATION OF EXPLOSIVES:

10-4-1

No person shall deliver to any other person any Class "A" or Class "B" explosives unless the person to whom such explosives are delivered exhibits a license to conduct blasting operations and a permit to possess or a permit to use explosives issued by the State Fire Marshal. All such explosives shall except as otherwise provided, be delivered directly to an approved magazine as required by State and Federal Law. No person shall buy, receive, or accept delivery of any Class "A" or Class "B" explosives unless he possesses adequate storage facilities as required by State and Federal Law.

10-4-2

The provisions of this rule as they apply to storage facilities of the receiver may be waived if delivery is made in an approved magazine direct to the job site for immediate placement in previously prepared drill holes and further provided that the explosives are to be detonated in their entirety prior to sunset of the day of delivery.

10-4-3

All explosive contents of portable magazines shall be removed and placed into an approved permanent magazine at the end of each day. No explosives shall be stored in a portable magazine overnight.

10-4-4

If fire should come into contact with explosives, all personnel shall be removed to a safe location and the area guarded against intruders and no attempt shall be made to fight such a fire except from a safe distance or shelter.

10-4-5

Any vehicle used to transport explosives shall be in proper working condition and shall be equipped with the proper magazine or magazines which shall be securely attached to the vehicle to prevent falling off. The explosives shall be so located so as not to be in contact with any source of heat, such as an exhaust pipe.

10-4-6

No metal, flammable, or corrosive substances shall be transported with explosives.

10-4-7

All explosives shall be handled carefully and never thrown from the vehicle.

10-4-8

Radio transmitters shall be shut off on vehicles transporting explosives.

10-4-9

No smoking shall be allowed on any vehicle containing Class "A" or Class "B" Explosives.

V. ADDITIONAL REQUIREMENTS

10-5-1

Any situation not covered by these Rules and Regulations shall be covered by NFPA Standard No. 495, 1992 Edition, the Institute of Makers of Explosives, and/or Manufacturers' specifications.

VI. ALL EXISTING RELATED ADMINISTRATIVE REGULATIONS REPEALED AND SUPERSEDED BY SECTION 10 HEREIN

10-6-1

All previously adopted administrative rules and regulations, including, but not limited to those adopted, and filed with the Secretary of State's Office, by the State Fire Marshal and/or the Division of Fire Safety on July 23, 1979, July 5, 1979 and December 6, 1977, related to the keeping, using, transporting, and storage of explosives, are hereby repealed and superseded by the provisions of the Fire Safety Code Section 10 as outlined above.

FIRE SAFETY CODE SECTION 11 THE KEEPING, USING, TRANSPORTING AND STORAGE OF COMMERCIAL FIREWORKS

I. APPLICATION FOR PERMITS

11-1-1

No application for permit shall be issued by the local fire authority, unless applicant is holder of a valid Certificate of Competency issued by the State Fire Marshal

11-1-2

Application for permit to operate a display of fireworks in conformance with the terms of chapter 28.11 (Form FSR-3) of the general Laws of Rhode Island shall be made in writing on forms provided by the State Fire Marshal to the chief of the fire department of the city, town or municipality in or near which the display is to be held.

11-1-3

Such application and any addendum necessary shall set forth:

- a. The name of the organization sponsoring the display, together with the names of persons actually in charge of the firing of the display.
- b. Evidence of financial responsibility.
- c. The date and time of day at which the display is to be held.
- d. The exact location planned for the display.

- e. A description setting forth the age, experience, and physical characteristics of the persons who are to do the actual discharging of the fireworks.
- f. The number and kinds of fireworks to be discharged.
- g. The manner and place of storage of such fireworks prior to the display.
- h. A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained, and the location of all nearby trees, telegraph or telephone lines or other overhead obstruction.

11-1-4

Upon receipt of such application at least 15 days in advance of the date set for this display, the Chief of the Fire Department shall make, or cause to be made, an investigation of the site of the proposed display for the purpose of determining whether the provisions of these regulations are complied with in the case of the particular display. The Chief of the Fire Department shall endorse the Application, stating that he approves the display as being in conformance with all parts of the law and with these regulations.

11-1-5

The Chief of the Fire Department, upon endorsement of the application after receipt of evidence of financial responsibility as required by law, shall issue a nontransferable permit authorizing the display.

II. CONDUCT OF DISPLAY

11-2-1

No permit shall be granted for any display of fireworks where the discharge, failure to fire, faulty firing, or fallout of any fireworks or other objects would endanger persons, buildings, structures, forests, or brush, nor in any case where the point at which the fireworks are to be fired is less than 200 feet from the nearest permanent building, public highway, railroad, or other means of travel or 50 feet from the nearest aboveground telephone or telegraph line, tree or other overhead obstruction. In no case shall a display be fired within 500 feet of a school, theater, church, hospital or similar institution.

11-2-2

Spectators at a display of fireworks shall be restrained behind lines or barriers as designated by local authorities, but in no case less than 200 feet from the point at which the fireworks are to be discharged. Only authorized persons and those in actual charge of the display shall be allowed inside these lines or barriers during the unloading, preparation, or firing of fireworks.

11-2-3

All fireworks that fire a projectile shall be so set up that the projectile will go into the air as nearly as possible in a vertical direction, provided that where such fireworks are to be fired beside a lake or other large body of water, they may be directed in such a manner that the falling residue from the deflagration will fall into the said body of water.

11-2-4

Any fireworks that remain unfired after the display is concluded shall be immediately disposed of or removed in a manner safe for the particular type of fireworks. The debris from the discharged fireworks shall be properly disposed of by the operator before he leaves the premises. The operator, upon the conclusion of the display, shall make a complete and thorough search for any unfired fireworks or pieces which have failed to fire or function and shall dispose of them in a safe manner. Such search shall be instituted at the earliest possible time following the conclusion of the display, but in no event later than the first period of daylight which follows.

11-2-5

No fireworks display shall be held during any windstorm in which the wind reaches a velocity of more than 20 miles per hour.

11-2-6

All fireworks articles and items at places of display shall be stored in a manner and in a place secure from fire, accidental discharge, and theft and in a manner approved by the Chief of the Fire Department.

III. QUALIFICATION OF OPERATORS

11-3-1

The person in actual charge of the firing of the fireworks in a display shall be able-bodied, at least 18 years of age, competent for the task, and so certified by the State Fire Marshal. Such operator shall have his certificate of Competency in his possession when engaged in conducting a display and shall exhibit same on request of any authorized person. Said certificate of Competency may be revoked by the State Fire Marshal for any violation of these regulations or when the holder's conduct or condition of sobriety is such as to imperil the public's safety. Each person assisting the certificated operator shall be able-bodied, at least 18 year of age and capable of reading, writing, speaking, and understanding the English language.

11-3-2

There shall be at all times no fewer than two operators of the display constantly on duty during the discharge, at least one of whom shall be certificated.

V. GENERAL

11-4-1

Fire protection and extinguishing equipment shall be provided and required by the Chief of the Fire Department having jurisdiction.

11-4-2

The person to whom a permit has been issued shall arrange for the detailing of one member of the local fire department or such larger number as may be deemed necessary by the Chief of the Fire Department. Fire Department personnel shall be on duty from the time the fireworks are delivered at the site until the termination of the display and the removal of all fireworks and debris from the site. The expense for such firemen shall be paid by the permittee.

11-4-3

All disputes arising as a result of the administration of these rules and regulations shall be referred to the State Fire Marshal.

11-4-4

Any person, firm corporation and/or co-partnership aggrieved by the decision of the State Fire Marshal, as outlined in section 11-4-3 above, may file an appeal and request a hearing before the Fire Safety Code Board of Appeal and Review pursuant to RIGL section 23-28.3-3(d).

V. ADDITIONAL REQUIREMENTS

11-5-1

Dealers and manufacturers of Class B explosives, which includes commercial fireworks, shall be subject to provisions of Chapter 23-28.28 of the Fire Safety Code entitled EXPLOSIVES and no permit or license shall be issued until all requirements of Chapter 23-28.28 are fulfilled.

VI. ALL EXISTING RELATED ADMINISTRATIVE REGULATIONS REPEALED AND SUPERSEDED BY SECTION 11 HEREIN

11-6-1

All previously adopted administrative rules and regulations, including, but not limited to those adopted, and filed with the Secretary of State's Office, by the State Fire Marshal and/or the Division of Fire Safety on July 2, 1976, related to the keeping, using, transporting, and storage of commercial fireworks, are hereby repealed and superseded by the provisions of the Fire Safety Code Section 11 as outlined above.

FIRE SAFETY CODE SECTION 12
THE KEEPING, USING, TRANSPORTING, STORAGE, MANUFACTURE & SALE
OF SOLID PROPELLANT ROCKET MOTORS AND THE LAUNCHING,
OPERATION AND FLYING OF MODEL ROCKETS

12-1-1

For the purpose of these rules and regulations, the following words shall have the meanings respectively assigned to them.

- a. Approved - approved by the Marshal
- b. Model Rocket - A device that ascends into the air without use of aerodynamic lifting forces against gravity, propelled by means of small solid propellant rocket motor.
- c. Model Rocket Motor - (also Model Rocket Engine) a solid propellant, cold propellant or pressurized liquid rocket motor that conforms to the standards for rocket motors as set forth in this regulation. (NFPA 1122 1-3.)
- d. Display Rocket - any rocket type not conforming to the design specifications of these rules. Any person handling such display rockets shall do so in compliance with FSR-2.
- e. Chemical Propellant - any chemical agent used as fuel in a model rocket motor.
- f. Competent Person - an able-bodied person at least eighteen years of age who has received a permit from the head of the fire department to be responsible for the launching of model rockets.
- g. Fire Official - having responsibility for the prevention and suppression of fire in that city or town.
- h. Marshal - the State Fire Marshal.
- i. Flight Area - the area bounded by a circle having a radius of five hundred (500) feet from the launch site.

II. ROCKETS

12-2-1

Model rockets shall comply with the following requirements prior to launch, operation and flight:

- a. Gross weight, including the model rocket motor, shall not exceed 1500 grams (53 ounces).

- b. No more than 62.5 grams (2.2 ounces) of propellant materials shall be contained in a single model rocket motor and no more than 125 grams (4.4 ounces) of propellant shall be contained in a model rocket at the time of launch.
- c. Model rockets shall contain means for retarding decent to the ground so that the structure shall be substantially damaged and no hazard shall be created to persons or property on the ground.
- d. Construction shall be of wood, plastic, paper, rubber or similar materials, and without any metal as structural parts.
- e. Design and construction shall include attached aerodynamic surfaces or other suitable means which will provide stabilizing and restoring forces necessary to maintain a substantially true and predictable flight path.
- f. A model rocket shall not contain any type of explosive or pyrotechnic warhead.

12-2-2

Any person who has knowledge of fire or accident caused by a model rocket or rocket motor shall notify the head of the fire department and the Marshal. Failure to comply with this rule shall be cause for revocation of permit.

III. SOLID PROPELLANT ROCKET MOTORS

12-3-1

A solid propellant rocket motor shall be a device produced by a commercial manufacturer. It shall have all of the propellant preloaded into the casing in such a manner that the propellant cannot be removed without destroying the motor. Delay trains and ejection charges may be included as an integral part of the motor or may be preloaded and packaged separately if:

- a. The auxiliary package is a single pre-assembled unit containing all of the remaining combustible material, and
- b. The auxiliary package is so designed that an individual would have no difficulty handling or using it safely.

12-3-2

A solid propellant rocket motor casing shall be made of nonmetallic material of low thermal conductivity so that the temperature of the external surface of the model rocket motor shall not exceed 200 degrees Celsius (392 degrees Fahrenheit) during or after operation.

12-3-3

A solid propellant rocket motor casing shall be so designed and constructed that it will not fragment if it should rupture.

12-3-4

A solid propellant rocket motor shall be so designed and constructed as to be incapable of spontaneous ignition in air, in water, as a result of physical shocks, jarring, impacts or motion under conditions that would reasonably be expected to occur during shipment, storage and use, or when subjected to a temperature of 80 degrees Celsius (176 degrees Fahrenheit) or less.

12-3-5

A solid propellant rocket motor shall contain no more than 62.5 grams (2.2 ounces) of propellant material and shall produce less than 160 Newton-seconds (35.855 pound-seconds) of total impulse with average thrust not greater than 100 Newtons.

12-3-6

A manufacturer of solid propellant rocket motors shall subject a random sample of one percent (1%) of each motor production lot to a static test which shall measure and record the rocket motor's total impulse, delay time and action of ejection charge, if included. Solid propellant rocket motor production lots shall be corrected, destroyed or re-tested by the manufacturer under any of the following conditions:

- a. Total impulse of any test item departs more than twenty percent (20%) from the established mean value for the motor type,
- b. The time delay of the test item departs more than twenty percent (20%) from the established mean value for the motor type but in no case shall this variation exceed three (3) seconds,
- c. The ejection charge, if any, of the test item does not function properly,
- d. Any test item malfunctions in any other manner that affects the safety of its shipment, storage, handling or uses. Static tests shall be conducted with the test item at ambient temperature. For a retest, a manufacturer shall test a minimum additional two percent (2%) of the production lot in question. If any additional test item displays any of the above mentioned conditions, the entire production lot shall be corrected or destroyed by the manufacturer.

12-3-7

A solid propellant rocket motor type whose performance deviates from the sample test criteria and performance limits detailed above within one (1) year from the date of manufacture shall be withdrawn from commercial sale and redesigned to provide reliable operation when ignited within a period of one (1) year from the date of manufacture. All solid propellant rocket motors shall have imprinted upon the exterior surface of their motor casing the date of manufacture or equivalent coding.

12-3-8

A solid propellant rocket motor shall be shipped and stored with no ignition element installed that can be activated by open flame at a temperature of less than 150 degrees Celsius (302 degrees Fahrenheit) or by incident radio frequency radiation normally encountered in shipping, storage and use. No manufacturer, distributor, or any other person shall sell expose for sale, or otherwise make available to the public any type of rocket motor ignition device that is intended to be initiated by a hand-held flame.

12-3-9

A model rocket motor shall be shipped and sold with complete instructions for storage, handling and use. The instructions shall contain a warning to read and follow all instructions carefully and to use the motor only in accordance with instructions. In addition, the instructions shall contain the following information:

- a. How to safely ignite the motor safely by electrical means,
- b. Performance data on the model rocket motor type to include propellant weight, total impulse, average thrust, time delay and representative thrust time curve,
- c. Any specific first aid data or action to be taken in the event of burns or oral ingestion of the propellant;
- d. Proper and safe disposal of the rocket if it has become too old, been subjected to conditions that may impair its performance or, in the opinion of the user, may have become unsafe,
- e. Any special action that must be taken to fight any fire in which stored rocket motors may be involved.

12-3-10

The competent person responsible for handling the rocket motors shall notify the Marshal whenever he is aware of defects in such motors. He should describe the defect and include the manufacturer's name and model or catalog number of the defective device.

IV. LOCATION FOR OPERATION

12-4-1

Flight areas shall be located in areas that will not create a hazard to persons and property in the vicinity of the area.

12-4-2

A model rocket launch site shall be at least one hundred feet (100') from the nearest building and fifty feet (50') from a public way or the nearest natural or man-made obstruction or at a distance equal to the height of such obstruction, whichever is greater.

12-4-3

Flight areas shall not contain or be located adjacent to limited access highways, buildings over four (4) stories in height or other similar obstacles.

V. LAUNCHING

12-5-1

The competent person responsible for supervising the launching of model rockets shall make certain that these rules and regulations are being adhered to by all present at the launch site and shall also be familiar with and conduct the launch in accordance with the instructions supplied with the model rockets or rocket motors and these regulations shall take precedence.

12-5-2

All model rockets shall be launched from a launch rod or other device that provides rigid guidance until the rocket has reached a speed adequate to ensure a safe flight path. The launcher shall have a jet deflector device to prevent the motor exhaust from hitting the ground directly. (NFPA 1122 A-2.8.)

12-5-3

Launching or ignition shall be conducted by remote electrical means fully under the control of the person launching the model

12-5-4

All persons within one hundred (100) feet of the launch site shall be notified of the timing of each launch by an audible warning and count down.

12-5-5

A model rocket shall not be launched so as to create a hazard to aircraft.

12-5-6

A model rocket shall not be used as a weapon against ground or air targets, nor shall it be equipped with an explosive or incendiary device of any kind designed to ignite on rocket impact.

12-5-7

All materials such as recovery system wadding or igniter holding devices which are subject to high temperatures and ejected from the rocket during the launch and recovery sequence shall be of a sufficiently flame resistant nature so as to prevent any ignition upon landing.

12-5-8

All personnel conducting or assisting in the launching shall remain at least fifteen feet (15') from models containing motors totaling 30 Newton-seconds or less of total impulse and at least thirty feet (30') from models exceeding this limit, during the countdown and

launching. Spectators and others not participating in the launching activities shall maintain a distance of at least one hundred feet (100') from the launching device.

VI. TEST AND EXPERIMENTS

12-6-1

Model rocket motors may be tested on the ground for the purpose of determining performance or may be used as the motive power of an experiment conducted on the ground under the supervision of a competent person with a permit.

12-6-2

The model rocket motor shall be securely affixed to a testing device or to an immovable structure in such a manner that such motor shall not become free during the conduct of such test or experiment.

12-6-3

The model rocket motor shall be ignited only by remotely operated electrical means fully under the control of the person conducting the test or experiment.

12-6-4

When tests or experiments are conducted indoors, the exhaust from each model rocket motor so tested shall be directed into a non-flammable hood or vent which shall lead to the outside of the building.

12-6-5

Before a model rocket motor may be tested or used experimentally on the ground its exhaust path shall be cleared of all flammable objects prior to the igniting of such motor.

12-6-6

Persons who conduct, participate in or observe static or ground testing of a model rocket motor shall stand a distance no less than five feet (5') away from such motor, and never within a thirty (30) degree angle of a direct line with its longitudinal axis during the conduct of the test.

12-6-7

Static test shall be conducted with the test item at a temperature of less than 50 degrees Celsius (122 degrees Fahrenheit).

12-6-8.

The competent person with a permit shall inspect each model rocket motor to be tested and the testing device to be used before such test may be conducted.

VII. PERMITS

12-7-1

Any person who handles, stores, sells, buys, transports or ignites a rocket motor must have a permit from the head of the fire department or must be accompanied by and be under the supervision of a person with a permit.

12-7-2

Any person eighteen (18) years of age or older desiring to oversee the launching of model rockets propelled by a model rocket motor shall first obtain a permit from the head of the fire department.

12-7-3

A person under eighteen (18) years of age but not less than fourteen (14) years of age wishing to handle transport or detonate model rocket motors may do so only after first receiving consent from a parent or legal guardian on the proper forms and having been approved by the fire authority having responsibility for the prevention and suppression of fire in that city or town. In the case where there is no fire authority, these forms shall be approved by the State Fire Marshal or his Deputies.

12-7-4.

The head of the fire department shall issue the permit to a competent person after that person has shown proof of age and the fact that he has in his possession a copy of these regulations. Such permit shall be valid for a period of one (1) year unless otherwise revoked.

12-7-5

Any person wishing to handle, store, buy, transport or ignite rocket motors must first obtain a permit from the head of the fire department in the city or town of his residence at the time of such application or in the city or town wherein he intends to comply with these rules and regulations.

12-7-6

A competent person who wishes to ignite or supervise the launching of motors in another city or town may do so after first receiving permission from the fire department of the city or town in which he expects to conduct the launch. The requirement for repeated notification on return visits to such city or town shall be left to the discretion of the head of the fire department of that city or town.

12-7-7

Any person requiring a permit under these regulations who is not a resident of the State of Rhode Island may obtain a permit from the head of the fire department in the city or town where he is living at the time or where he intends to comply with these rules and regulations.

12-7-8

Rocket motors shall be kept at all times during storage and transportation in a sturdy metal or wooden box, complete with a cover which may be latched or locked closed.

12-7-9

Any person, corporation or firm wishing to sell solid propellant rocket motors must first obtain a permit for storage and sale from the head of the fire department of the town in which the storage and sale is to be made. Such permits shall be in effect for one (1) year after the date of issue, unless otherwise revoked.

12-7-10

Any solid propellant rocket motors which are being stored for sale shall be kept in a sturdy metal or wooden chest or drawer which must be kept securely clamped or locked shut when not in use. Such containment units must be located in a space approved by the head of the fire department, at least ten (10') feet from any flammable liquids. Failure to comply with this rule may be cause for revocation of the permit.

12-7-11

Whenever the solid propellant rocket motors are loaded or manufactured, they shall be considered Class B explosives and shall be handled in compliance with the Fire Safety Code, Chapter 28-28.

12-7-12

Quantities of solid propellant rocket motors in excess of ten thousand (10,000) shall be classified as a Class B explosives and shall be handled, transported and stored in accordance with the Fire Safety Code, Chapter 28.28.

12-7-13

Quantities of Solid propellant rocket motors of ten thousand (10,000) or less shall be classified as Class C explosives in accordance with the Fire Safety Code, Chapter 28.28.

VIII. APPLICABLE STANDARD

12-8-1

NFPA 1122 Code for Unmanned Rockets, 1987 Edition, is recognized and approved by the State Fire Marshal and the Fire Safety Code Board of Appeal and Review.

IX. ALL EXISTING RELATED ADMINISTRATIVE REGULATIONS REPEALED AND SUPERSEDED BY SECTION 12 HEREIN

12-9-1

All previously adopted administrative rules and regulations, including, but not limited to those adopted, and filed with the Secretary of State's Office, by the State Fire Marshal and/or the Division of Fire Safety on December 21, 1988, related to the keeping, using, transporting, and storage, manufacture and sale of solid propellant rocket motors and the

launching, operation and flying of model rockets, are hereby repealed and superseded by the provisions of the Fire Safety Code Section 12 as outlined above.

FIRE SAFETY CODE SECTION 13
THE SALE OR LEASING AND SERVICING OF PORTABLE FIRE
EXTINGUISHERS AND THE INSTALLATION AND SERVICING OF FIXED FIRE
EXTINGUISHING SYSTEMS

I. GENERAL

13.1.1 ISSUANCE OF CERTIFICATE OF REGISTRATION:

- a. Any firm desiring to engage in the business of servicing portable fire extinguishers shall make a written application to the RI Division of Fire Safety on forms provided by that Division. A Certificate of Registration shall be required for each separate location where there are facilities to service extinguishing equipment. The application must be signed by the sole proprietor, or each partner, or by an officer of the corporation.
- b. Any firm desiring to engage in the business of installing, repairing and servicing fixed systems shall make a written application to the RI Division of Fire Safety on forms provided by that Division. A Certificate of registration shall be required for each separate location where there are facilities to service extinguishing equipment. The application must be signed by the sole proprietor, or each partner, or by an officer of the corporation.
- c. A firm must be the holder of both Certificates of Registration in order to service portable fire extinguishers and to engage in the business of installing, repairing and servicing fixed systems. No person(s) shall service portable fire extinguishers or install, repair and service fixed systems without first obtaining the appropriate license to do so.

13-1-2.

If the RI Division of Fire Safety finds, after reviewing the applicant's record, that the granting or renewing of a Certificate of registration would not be contrary to public safety and welfare, it shall issue or renew such Certificate of Registration authorizing the applicant to engage in the business of selling or leasing portable fire extinguishers, or selling or leasing fixed systems or both, provided the requisite fee(s) have been paid. Each Certificate of Registration shall be assigned an identifying number.

13-1-3

All persons engaged in the business of servicing, installing, repairing and testing portable/fixed fire extinguisher systems shall be required to pass an examination administered by the Rhode Island Division of Fire Safety.

13-1-4 EXAMINATION OF APPLICANTS

The examination shall test applicant's ability, knowledge and skill as may be applicable to the type of certificate being sought, as generally indicated in the listing below. These

written examinations shall consist of multiple choice, fill-in, true or false or essay questions.

a. Portable fire extinguishers: charging, recharging, altering, repairing, testing, inspection, installation and servicing.

b. Engineered fixed fire extinguishing systems: charging, recharging, altering, repairing, testing, inspection, installation and servicing.

c. Pr-engineered fixed fire extinguishing systems: same as "b" above.

d. Hydrostatic testing of fire extinguishers and cylinders for fixed systems: self-explanatory.

13-1-5

These examinations shall be held at such places and at such times as the Rhode Island Division of Fire Safety deems necessary, but must be within 30 days of receipt of application.

II LICENSE/PERMITS

13-2-1 ISSUANCE OF LICENSE

Upon successful completion of an examination, the Rhode Island Division of Fire Safety shall issue a license having an identifying number to the Applicant.

13-2-2 ISSUANCE OF APPRENTICE PERMIT

Any person desiring to service portable fire extinguishers and/or fixed systems, as an apprentice, shall file an application for a permit on forms provided by the Division of Fire Safety. The application must be signed by the employer who holds an appropriate certificate of registration. The prescribed fee shall be paid at time of filing.

13-2-3

An Apprentice shall not service any portable fire extinguishers and/or fixed systems except under the personal and immediate supervision of a journeyman holding a valid license to install repair and/or service fixed fire extinguishing systems.

13-2-4

The Rhode Island Division of Fire Safety shall issue each Apprentice Permit an identifying number and each such permit shall be readily identifiable as an Apprentice Permit for portable fire extinguishers or fixed systems. Time served as an apprentice must be a minimum of six (6) months for fixed systems; four (4) months for portable fire extinguishers.

13-2-5

An Apprentice Permit shall be valid for a period of one (1) year from date of issuance.

13-2-6

An apprentice desiring to remain as same beyond the expiration date of said permit must make application for a new permit.

13-2-7 ISSUANCE OF HYDROSTATIC TESTING APPROVAL

Upon successful completion of a written exam, an applicant may be issued a certificate or license with "Hydrostatic Testing Approved" stamped thereon.

13-2-8

Services performed after the expiration of certificates, licenses or permits issued by the Division of Fire Safety shall be deemed a violation of these regulations.

13-2-9

Duplicates may be issued by the Division of Fire Safety to replace any valid licenses and/or permits which have been lost or destroyed. Written documentation of loss and a ten dollar (\$10.00) fee will be required.

13-2-10 RENEWAL OF LICENSES OR CERTIFICATES

All licenses or certificates must be renewed by March 1, annually.

III. FEES

13-3-1

Initial fee for certification for firms selling, leasing, or servicing portable fire extinguishers \$100.00.

13-3-2

Initial fee for certification of firms installing repairing and/or servicing fixed extinguishing systems \$100.00.

13-3-3

Renewal of certification for firms selling, leasing or servicing portable fire extinguishers \$100.00 annually.

13-3-4

Renewal of certification for firms installing, repairing and servicing fixed fire extinguishing systems \$100.00 annually.

13-3-5

Initial fee for examination and license for portable fire extinguisher journeyman \$60.00.

13-3-6

Initial fee for examination and license for fixed fire extinguishing systems journeyman \$60.00.

13-3-7

Renewal of journeyman Licenses is \$50.00 annually.

13-3-8

Fee for portable fire extinguishers Apprentice Permit is \$5.00.

13-3-9

Fee for fixed fire extinguishing Apprentice Permit systems is \$5.00.

IV. ADMINISTRATIVE

13-4-1

By March 1st of each year, holders of a Certificate of Registration shall report annually the name, address, license number, and Apprentice Permit number of each licensee and apprentice in their employ to the RI Division of Fire Safety.

13-4-2

The Rhode Island Division of Fire Safety shall keep and maintain records of all licenses, apprentice permits and Certificates of Registration. Such records shall be available for review by any person desiring to review same. Records may be reviewed by appointment only.

13-4-3

When a person or firm exempt from the licensing provisions of the Enabling Act, as provided under Section 23-28.32-2 of the General Laws, services a portable fire extinguisher he shall affix there to a tag that at least states:

- a. The month and year when the service was performed.
- b. Manufacturer and serial number.
- c. The name of the person performing the services.
- d. The type of service performed.

V. SERVICE TAGS FOR FIXED FIRE EXTINGUISHING SYSTEMS AND PORTABLE FIRE EXTINGUISHERS

Service tags are required and shall be in conformity with the following provisions:

13-5-1

Tags shall be not more than and not less than five and one-fourth inches (5 1/4") in height, and two and five-eighths (2 5/8") in width. Service tags shall not be red in color.

13-5-2

One service tag shall be attached to each fixed extinguisher system and each portable extinguisher in such a position as to be conveniently inspected, but not to hamper the operation of the system/ extinguisher.

13-5-3

Service tags may be printed or otherwise established for any number of years not in excess of five (5) years.

13-5-4

Every tag attached to a system serviced by a licensed firm shall be an approved service tag conforming to these rules and regulations.

13-5-5

Service tags shall bear the following information:

a. Servicing firm's name

b. Address of servicing firm

c. Certificate of registration number

d. Type of service performed

e. Date service performed

f License number of individual who performed or supervised the service or services performed.

g. Apprentice permit number when applicable

h. Signature of licensee

i. Owner and location of extinguisher

13-5-6

All above information in Items 1 through 7 shall appear on one (1) side of the service tag. Other printing or information shall be placed on the reverse side of the tag.

13-5-7

No person or persons shall remove, deface, modify or alter any valid service tag attached to or required to be attached to any fixed fire extinguisher system or portable fire extinguishers.

13-5-8

The Rhode Island Division of Fire Safety may either refuse to issue or renew, or it may suspend or revoke any Certificate of Registration, License, Apprentice Permit or Hydrostatic Testing Approval for any of the following reasons:

- a. Any violation as listed in the Enabling Act.
- b. Having obtained or having attempted to obtain a License, Apprentice Permit, Hydrostatic Testing Approval or Certificate of Registration, by fraudulent misrepresentation.
- c. Gross malpractice or gross incompetency.
- d. Advertising for the sale or servicing of fixed or portable fire extinguisher system by means of knowingly false or deceptive statements.
- e. Violation of any provision of these regulations.

VI APPEALS

13-6-1

Any person, firm, corporation and/or co-partnership aggrieved by the decision of the State Fire Marshal to suspend, revoke or refuse to issue or renew a permit may request a hearing.

13-6-2

Any hearing proceedings conducted under the authority of Section RIGL 23-28.32-8b shall be before a board whose members shall be appointed by the State Fire Marshal.

13-6-3

Any person, firm corporation and/or co-partnership aggrieved by the decision of the State Fire Marshal's board, as outlined in section 13-6-2 above, may file an appeal and request a hearing before the Fire Safety Code Board of Appeal and Review pursuant to RIGL Section 23-28.3-3(d).

VII. STANDARD OF PERFORMANCE

13-7-1

Generally accepted safety standards will be observed in the installation, servicing and testing of fixed fire extinguishing systems. NFPA Std. 11, 1983 edition, NFPA Std. 12, 12a and 17, 1985 edition and NFPA Std. 96, 1973 edition shall apply.

13-7-2

Generally accepted safety standards will be observed in installing, servicing and testing portable fire extinguishers. As to the NFPA edition for portable fire extinguishers, installers should refer to the different Occupancy Chapters of the RI Fire Safety Code for the year, type, location and maintenance of portable extinguishers.

VIII. APPROVED TESTING LABORATORIES

13-8-1

No portable fire extinguisher system shall be installed or serviced unless it bears the label of one of the following approved testing laboratories. No fixed fire extinguisher system shall be installed or serviced unless it meet the requirements of NFPA Std. 96, 1973 edition.

- a. Underwriters Laboratories, Inc.
- b. The Factory Mutual Engineering Corporation
- c. The Underwriters Laboratories of Canada
- d. Any other nationally recognized testing laboratory recognized by the RI Division of Fire Safety.

IX. ALL EXISTING RELATED ADMINISTRATIVE REGULATIONS REPEALED AND SUPERSEDED BY SECTION 13 HEREIN

13-9-1

All previously adopted administrative rules and regulations, including, but not limited to those adopted, and filed with the Secretary of State's Office, by the State Fire Marshal and/or the Division of Fire Safety on September 23, 1993, March 21, 1988 and February 25, 1977, related to the sale or leasing of portable fire extinguishers and the installation and servicing of fixed fire extinguishing systems, are hereby repealed and superseded by the provisions of the Fire Safety Code Section 13 as outlined above.

FIRE SAFETY CODE SECTION 14 THE STORAGE AND HANDLING OF LIQUEFIED GAS

I. APPLICATION FOR CERTIFICATE OF REGISTRATION AND PERMIT

14-1-1

Any firm desiring to engage in the business of storing, handling or dispensing LPG shall make written application to the RI State Fire Marshal, on forms provided by the RI State Fire Marshal. A certification of registration and permit shall be required for each separate facility. The application must be signed by the sole proprietor, or each partner, or by an officer of the company.

II. INSPECTIONS

14-2-1

Upon receipt of said application, the State Fire Marshal will schedule a fire safety inspection of the facility in accordance with NFPA 58, 1983, 59, 1984 edition.

14-2-2

Any new facility must comply with this code prior to engaging in the business of storing, handling and dispensing LPG in accordance with 23-28.1-7A.

14-2-3

Existing facilities that are not in compliance with the provisions of this code may be granted a reasonable notice of fire code violations and a time table for compliance shall be established. In cases of practical difficulty, a time will be established by which the owner must petition to the Fire Safety Board of Appeals and Review for a variation.

III. REVIEW OF PERMITS

14-3-1

All permits must be renewed by January 1st annually.

14-3-2

Permit fee: Each application for a permit hereunder shall be accompanied by the fee hereinafter prescribed, which fee shall be returned in the event such application is denied. The permit fee shall be twenty-five (\$25.00) dollars annually, with a check or money order made payable to the General Treasurer, State of Rhode Island.

14-3-3.

Expiration of permits: All permits hereunder shall expire on the last day of each calendar year unless soon designated on permit or sooner revoked.

IV. REVOCATION

14-4-1

The State Fire Marshal may either refuse to issue or renew, or he may suspend or revoke, any Certificate of Registration or Permit, for cause.

14-4-2

Sufficient cause may be:

- a. A gross malpractice or gross incompetency in the handling, storage or dispensing of LPG.
- b. Violation of any provision of the enabling Act as formulated and administrated by the RI State Fire Marshal.

V. HEARINGS

14-5-1

Any person, firm, corporation and co-partnerships aggrieved by the decision of the State Fire Marshal to suspend, revoke or refuse to issue or renew a permit may request a hearing.

14-5-2

Any hearing proceedings conducted under the authority of Section 23-28-20-7 shall be before a L.P.G. Board whose members shall be appointed by the State Fire Marshal.

14-5-3

The L.P.G. Board will hear all evidence/testimony and submit their recommendations to the State Fire Marshal in writing within thirty (30) days of the request for hearing.

14-5-4

Upon receipt of LPG Board's recommendations, the State Fire Marshal shall accept, reject, and/or modify the LPG Board's recommendations and reissue a decision in writing within (30) days.

VI. APPEALS

14-6-1

Any person, firm, corporation and/or co-partnership aggrieved by the decision of the State Fire Marshal after his review of the recommendations as outlined in Section 14-5-4 above, may file an appeal and request a hearing before the Fire Safety Code Board of Appeal and Review pursuant to RIGL Section 23-28.3-3(d).

VII. APPLICABLE STANDARDS

14-7-1

The following standards pertaining to the handling, storage and dispensing of Liquefied Petroleum Gases are recognized and approved by the State Fire Marshal:

- a. NFPA Standard 58, 1983 edition: 59, 1984 edition
- b. Underwriters Laboratories, Inc. (UL)
- c. National Fire Protection Association (NFPA)
- d. National Board of Fire Underwriters (NBFU)
- e. Interstate Commerce Commission (ICC)
- f. American Society of Mechanical Engineers (ASME)

g. American Petroleum Institute (API)

h. American Gas Association (AGA)

VIII. ALL EXISTING RELATED ADMINISTRATIVE REGULATIONS REPEALED
AND SUPERSEDED BY SECTION 14 HEREIN

14-8-1

All previously adopted administrative rules and regulations, including, but not limited to those adopted, and filed with the Secretary of State's Office, by the State Fire Marshal and/or the Division of Fire Safety on November 18, 1986, related to the storage and handling of liquefied gas, are hereby repealed and superseded by the provisions of the Fire Safety Code Section 14 as outlined above.

FIRE SAFETY CODE SECTION 15
THE TRANSPORTATION OF PORTABLE GASOLINE
IN PRIVATE PASSENGER CARS

I. GASOLINE MAY BE TRANSPORTED IN PORTABLE GASOLINE CONTAINERS
IN MOTOR VEHICLES ONLY IN ACCORDANCE WITH THE FOLLOWING
STANDARDS

15-1-1 Design, Construction and Capacity of Containers

a. Plastic or metal containers meeting the requirements of ANSI/ASTM D3435-80 plastic containers (Jerry Cans) or metal cans for petroleum products within the scope of that specification shall be acceptable.

b. Each portable container shall be provided with one or more devices in the top with sufficient emergency venting to limit internal pressure under fire conditions to 10 PSI-8 or 30 percent of the bursting pressure, whichever is greater.

15-1-2 Maximum Allowable Size of Containers

Metal - One to five gallons

Polyethylene - One to five gallons

15-1-3 Maximum Amount Transported

No more than one five gallon container shall be carried in any private passenger vehicle at any one time.

15-1-4 Applicable Standards

The following standards pertaining to flammable and combustible liquids are recognized and approved by the State Fire Marshal:

- a. N.F.P.A. Standard 30 - 1974 Edition
- b. Underwriters Laboratories, Inc. (UL)
- c. ASTM Publications American Society for Testing and Material

**II. ALL EXISTING RELATED ADMINISTRATIVE REGULATIONS REPEALED
AND SUPERSEDED BY SECTION 15 HEREIN**

15-2-1

All previously adopted administrative rules and regulations, including, but not limited to those adopted, and filed with the Secretary of State's Office, by the State Fire Marshal and/or the Division of Fire Safety on May 16, 1989, related to the transportation of portable gasoline containers in private passenger cars, are hereby repealed and superseded by the provisions of the Fire Safety Code Section 14 as outlined above.

**State of Rhode Island
Rehabilitation Building And Fire Code
For Existing Buildings And Structures**

FORWARD

The State of Rhode Island Rehabilitation Building and Fire Code for Existing Buildings and Structures was adopted by the Fire Safety Code Board of Appeal & Review and the Building Code Standards Committee on January 22, 2002. The new Rehabilitation Code provides a single, uniform, statewide code with fire code and building code elements applicable to covered existing buildings and structures. It has an effective date of May 1, 2002.

With the adoption of this new code, the Joint Committee on the Rehabilitation Building and Fire Code for Existing Buildings and Structures wishes to acknowledge the substantial efforts, support, and guidance of the following individuals and organizations:

The Joint Committee recognizes the political leadership and support of Governor Lincoln C. Almond, Lt. Governor Charles J. Fogarty, Senate Majority Leader William V. Irons, House Speaker John B. Harwood, and their respective staffs, in making the Rehabilitation Code a reality. The Joint Committee further recognizes the foresight and efforts of Senators Paul S. Kelly, V. Susan Sosnowski, John M. Roney, Dennis L. Algiere and Thomas R. Coderre along with Representatives John J. McCauley, Frank A. Montanaro, Paul E. Moura, Thomas C. Slater, and Rene R. Menard, all of whom introduced the legislation necessary for the adoption of the Rehabilitation Code. The Joint Committee further recognizes the encouragement and support it has received from Mayor Vincent A. Cianci, Jr. and Chief of Staff Patricia McLaughlin of the City of Providence. Finally, the Joint Board wishes to thank the Senators and Representatives of the General Assembly who unanimously supported the above legislation.

The Joint Committee recognizes the administrative support, technical assistance, and encouragement it received from the Governor's Deputy Chief of Staff Clark Greene and Senate Policy Director Kenneth Paine. The Joint Committee further recognizes the substantial support of DOA Director Robert Carl, DOA Deputy Director Dante E. Boffi, Jr. and DOA Associate Director of Central Services Dennis J. Lynch, Building Commissioner Joseph A. Cirillo, the Building Code Commission, State Fire Marshal Irving J. Owens, the Fire Safety Code Board of Appeal and Review, and their respective staffs. The Joint Committee further recognizes the substantial day-to-day technical efforts of Providence Fire Marshal David Costa and the day-to-day administrative efforts of staff members Cynthia Dehler, Carol Marsella and Elaine Gordon.

The Joint Committee recognizes and appreciates the participation of the membership of the Rhode Island Builders Association and President Steven Gianlorenzo, with special thanks to Past President Henry Richard, Sr., Executive Board Member Mark Van Noppen, and Executive Director Rodger Warren.

The Joint Committee recognizes and appreciates the participation of the membership of the Rhode Island Historical Preservation & Heritage Commission with special thanks to Virginia Hesse, Roberta Randell, and Executive Director Edward Sanderson.

The Joint Committee recognizes and appreciates the participation of the membership of the Governor's Commission on Disabilities with special thanks to Harvey Salvas and Executive Director Robert Cooper.

The Joint Committee recognizes and appreciates the participation of the membership of Grow Smart Rhode Island, with special thanks to Executive Director Scott Wolf.

The Joint Committee recognizes and appreciates the participation of the membership of the Rhode Island League of Cities and Towns with special thanks to Executive Director Daniel Beardsley.

The Joint Committee recognizes and appreciates the participation of the membership of the Providence Foundation with special thanks to Executive Director Daniel Baudouin.

The Joint Committee recognizes and appreciates the participation of the membership and staff of the National Fire Protection Association with special thanks to Vice President Gary Keith. The Board notes that the final draft of this Code was based primarily upon Chapter 54 of NFPA 5000. The Joint Committee finally recognizes and appreciates the guidance and participation of Code Consultants Melvyn Green, William E. Koffel, and David Hattis for their assistance with the original draft of this Code.

THE JOINT COMMITTEE OF THE REHABILITATION BUILDING AND FIRE CODE FOR EXISTING BUILDINGS AND STRUCTURES

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**State of Rhode Island
Rehabilitation Building And Fire Code
For Existing Buildings And Structures**

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**State of Rhode Island
Rehabilitation Building And Fire Code
For Existing Buildings And Structures**

Chapter 1. Administration

101.0 Purpose and Intent

101.1 The purpose of this code is to encourage the continued use or reuse of existing buildings and structures. This code is intended to permit repairs, renovations, alterations, reconstructions, additions, and/or changes of occupancy that maintain or improve the health, safety and welfare in existing buildings, without requiring full compliance with the construction requirements of the Building Code, Mechanical Code, Plumbing Code, Rhode Island Fire Safety Code, Rhode Island Fire Prevention Code, Electrical Code, Boiler Safety Code, Energy Code, Elevator Code, or Accessibility Code, except for proportional additional work as specified in this code. Existing buildings, subject to this code, shall continue to be subject to the administrative, maintenance and operational requirements of the above-referenced codes. Building owners shall further comply with the regulations adopted by the Rhode Island Department of Health and all other public bodies charged with protecting the public health and safety. This code shall only apply to buildings in existence for at least ten (10) years prior to the application for a permit under this code. This code shall have an effective date of May 1, 2002.

101.1.1 Uses not covered: All repairs, renovations, alterations, reconstruction, additions and/or conversions (changes of occupancy) to health care facilities, nursing homes, child day care centers, community residences, educational occupancies, detention and correctional occupancies, high hazard occupancies, and one, two, and three family homes shall not be covered or enforced by this code at this time and shall comply with the applicable provisions of the Building Code, Mechanical Code, Plumbing Code, Rhode Island Fire Safety Code, Rhode Island Fire Prevention Code, Electrical Code, Boiler Safety Code, Energy Code, Elevator Code, or Accessibility Code.

101.1.2 The fire code element of this code generally addresses means of egress, fire detection systems, fire suppression systems, and fire-related mechanical, electrical and plumbing systems. In general, the fire code element incorporates national rehabilitation code philosophies by coupling many of the passive fire protection elements of Nationally Applicable Recommended Rehabilitation Provisions developed by HUD and the newly drafted NFPA 5000 Chapter 54 for existing buildings. To achieve a level of active fire protection acceptable to the Fire Service of Rhode Island, this code further incorporates the fire protection elements of the current Rhode Island fire alarm, sprinkler system and related active fire safety systems.

101.1.3 The building code element of this code generally addresses structural, energy, accessibility, boiler and elevator requirements along with all non-fire related mechanical, electrical and plumbing systems. In general, the building code elements incorporate the underlying philosophy of Nationally Applicable Recommended Rehabilitation Provisions developed by HUD and the newly drafted International Existing Building Code and NFPA provisions for the rehabilitation of existing buildings.

101.2 All work shall be classified into six categories: repair, renovation, alteration, reconstruction, addition, and change of occupancy. Specific requirements are established for each work category in this code. Work of more than one category shall be permitted to be part of a single work project.

101.2.1 Where a project includes one category of work in one building area and another category of work in a separate area of the building, each project area shall comply with the requirements of the respective category of work.

101.2.2 Where a project consisting of alterations and reconstruction is performed in the same work area, or in contiguous work areas, the project shall comply with the requirements applicable to a reconstruction.

Exception: Where the reconstruction work area is less than ten (10%) percent of the modification work area, the two shall be considered as independent work areas, and the respective requirements shall apply.

101.2.3 Nothing in this chapter shall be interpreted as requiring the repair, renovation, alteration or reconstruction of existing buildings which are in compliance with the Building and Fire Codes. If a building was originally inspected and determined not to be in compliance with either the Fire or Building Code, the owner shall have three options: first, the owner may correct the cited deficiencies and bring the building into compliance with the Fire or Building Code provisions in question. The second option would be to apply for an appropriate variance, with either the Fire Board or Building Board. The third option would be to present the authority having jurisdiction a plan of action bringing the facility into compliance with the provisions of this Code. In the case where an owner plans to unilaterally proceed with a repair, renovation, alteration or reconstruction of an existing building, the owner shall submit plans under this Code. Nothing herein shall prevent the owner from submitting plans for review under the current Building Code and Fire Code.

102.0 Compliance

102.1 Categories of work: Repairs, renovations, alterations, reconstruction, additions, and changes of occupancy shall conform to the requirements of this code.

102.2 Equivalent alternatives: This code is not intended to prevent the use of any alternate material, alternate design or alternate method of construction not specifically prescribed herein, provided any alternate has been deemed to be equivalent by the authority having jurisdiction and its use authorized by the Rehabilitation Board.

102.3 Other alternatives: Where compliance with this code or with any other code as required by this code is technically infeasible or would impose undue hardship because of structural, construction or dimensional difficulties, the Rehabilitation Board is authorized to accept other alternative materials, design features and/or operational features.

102.3.1 Notwithstanding the above, the local certified building official, with the approval of the Building Commissioner, may grant limited dimensional modifications from the building code element of this code; and the local certified fire marshal, with the approval of the State Fire Marshal, may grant limited dimensional modifications from the fire code element of this code. The dimensional modifications referred to above would be limited to existing ceiling heights, door widths, window openings, stairway and hallway widths, and the dimensions of stairway treads and risers. The above dimensional modifications may only be granted when the total existing egress width can accommodate the maximum occupancy load.

102.4 Effective date: Requirements of this code, and the requirements of this code that reference the Building Code, Mechanical Code, Plumbing Code, Rhode Island Fire Safety Code, Rhode Island Fire Prevention Code, Electrical Code, Boiler Safety Code, Energy Code, Elevator Code or Accessibility Code shall be based on the respective codes in effect at the time of the issuance of the permit, and not on any subsequent amendments unless the above codes are specifically made retroactive by statute or administrative regulation adopted by the Fire Board, Building Board, or other authorized Board. This code shall only apply to buildings in existence for at least ten (10) years prior to the application for a permit under this code.

102.5 Permit expiration: Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. One or more extensions of not more than 180 days each shall be permitted when requests are submitted in writing and justifiable cause demonstrated.

102.6 Compliance with other codes: Buildings, elements, components or systems in compliance with the current edition of the Building Code, Mechanical Code, Plumbing Code, Rhode Island Fire Safety Code, Rhode Island Fire Prevention Code, Electrical Code, Boiler Safety Code, Energy Code, Elevator Code, or Accessibility Code shall not be required to comply with any more restrictive requirement of this code.

Exception: Required sprinkler and fire alarm systems.

102.7 Elements, components and systems of existing buildings with features that exceed the requirements of the codes for new construction and not otherwise required as part of prior documented approved alternative arrangements shall not be prevented by this code from being modified as long as they remain in compliance with the applicable codes for new construction.

102.8 It is not the intent of this Code to supersede any codes or ordinances that address dangerous or unsafe buildings.

102.9 Work mandated by any accessibility, property, housing, or fire code, or mandated by any licensing rule or ordinance, adopted pursuant to law, shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this chapter unless the code requiring such work so provides.

102.10 Buildings and structures located wholly or partially within the flood hazard area established by the Building Code shall comply with that code.

103.0 Nonconforming Rights (Existing Buildings)

103.1 Buildings in existence at the time of the adoption of this code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of this code provided such continued use is not hazardous to life. Nothing in this code shall be interpreted as requiring the repair, renovation, alteration or reconstruction of existing buildings.

104.0 Relationship to Other Codes, Rules, and Ordinances

104.1 It is not the intent of this code to supersede any codes or ordinances that address dangerous or unsafe buildings.

104.2 It is not the intent of this code to supersede any retroactive regulations that impose stricter requirements.

104.3 It is not the intent of this code to supersede the Minimum Housing Code by establishing minimum standards of habitability for housing.

104.4 Work mandated by any of the following codes, rules, or ordinances that is not part of a rehabilitation project shall conform only to the requirements of those codes, rules or ordinances and shall not be required to conform to this code unless the document requiring such work so provides:

- (1) accessibility, housing, property maintenance;
- (2) any codes or ordinances that address dangerous or unsafe buildings or conditions;
- (3) any licensing rule or ordinance, adopted pursuant to law; and
- (4) Rhode Island Fire Prevention Code.
- (5) Rhode Island Fire Safety Code.

(6) Rhode Island Building Code.

105.0 Preliminary Meeting

105.1 If a building permit is required for a complex rehabilitation project involving multiple codes, then at the request of the prospective permit owner or authorized representative prior to the submission of the construction permit application, the certified building official and the certified fire marshal or their designees, and agency representatives from all necessary agencies in accordance with Section 105.2 to the extent possible, shall meet with the prospective applicant to discuss plans for any proposed work or change of occupancy under this code prior to the application for the permit.

105.2 The preliminary meeting, to the extent possible, shall include the officials responsible for permit approval and enforcement in the following areas, as may be applicable to the rehabilitation project:

1. Building Code;
2. Mechanical Code;
3. Plumbing Code;
4. Electrical Code;
5. Rhode Island Fire Safety Code;
6. Rhode Island Fire Prevention Code;
7. Boiler Safety Code;
8. Energy Code;
9. Elevator Code;
10. State and Local historical preservation ordinances;
11. Accessibility Code.

Where possible, a single meeting of all the parties shall be arranged. Where the total cost of the project exceeds five hundred thousand (\$500,000) dollars, the officials shall meet onsite if so requested by the owner.

105.3 The purpose of this preliminary meeting is for the prospective applicant to present its intentions for the proposed work to the responsible code officials so that together they can determine the specific requirements in the codes listed in Section 105.2 to be applied to proposed project. Any decisions reduced to writing and agreed to by all parties regarding the specific requirements of the codes listed in Section 105.2 that are to be applied to the proposed project made at the preliminary meeting shall be binding upon the prospective applicant and the code officials unless circumstances arise which were unknown or could not be ascertained by the prospective applicant, the certified building official and/or the certified fire marshal, at the time of the preliminary meeting. Notwithstanding the above, nothing herein shall relieve the applicant of the obligation to fully comply with the provisions of this code in good faith.

105.4 For a rehabilitation project or portion thereof that is in the repair, renovation or alteration category of work, a preliminary meeting may be granted at the discretion of the certified building official and the certified fire marshal when a request for a preliminary meeting is made by the prospective applicant prior to the submission of the construction permit application.

106.0 Permits

106.1 The rehabilitation work area, as defined in Chapter 2, shall be clearly identified on all construction permit applications, construction documents and permits required by certified building official and the certified fire marshal.

107.0 Appeals

107.1 Any appeal of issues under this code shall be heard exclusively by the Joint Committee on Rehabilitation Building Code for Existing Buildings and Structures pursuant to R.I.G.L. 23-29.1-4. Specifically, any building owner may consult the authority having jurisdiction for advice and assistance in complying with the provisions of the rehabilitation building and fire code. In case of practical difficulties, the authority having jurisdiction shall refer any request for variance to the joint committee. The petitioner for the variance shall set forth to the joint committee in the petition the grounds or reasons for requesting the variance.

The joint committee shall fix a day for hearing on the petition and shall give reasonable notice thereof to the petitioner and the property owners within two hundred (200) feet of the petitioner's building or structure when, in the board's discretion, it may have an adverse effect on neighboring properties. A properly indexed record of all variations made shall be kept in the office of the joint committee and shall be open to public inspection. Any building owner may file a petition for a variance to the board by registered mail, and a hearing date shall be set by the joint committee within thirty (30) days of filing a completed application including a filing fee, established in accordance with the following fee schedule:

Petitions related to construction, alteration, renovation, and/or conversion to other use of buildings and structures:

- (i) not more than eight thousand (8,000) square feet...one hundred dollars (\$100) filing fee;
- (ii) more than eight thousand (8,000) square feet but not more than twenty-five thousand (25,000) square feet...three hundred dollars (\$300) filing fee;
- (iii) more than twenty-five thousand (25,000) square feet but not more than fifty thousand (50,000) square feet...five hundred dollars (\$500) filing fee;
- (iv) more than fifty thousand (50,000) square feet...one thousand dollars (\$1,000) filing fee.

The term “square feet,” as used herein, shall be the total floor space and/or storage capacity of the subject building or structure, as determined and certified by the building code commission or his or her designee, subject to review by the board. The joint committee chairperson may delegate a subcommittee of the joint committee to conduct a hearing and take testimony from the petitioner. The subcommittee shall make recommendations to the joint committee as to their findings, and a decision shall be rendered within ten (10) days of the subcommittee’s report. If the petitioner is aggrieved by the subcommittee’s recommendations, the petitioner shall have the right of hearing before the entire joint committee within thirty (30) days of the rendered decision.

The application filing fee income shall be deposited as general review.

Appeals. Review of refusal of variation – Review of final order. Any building owner aggrieved by any decision of the joint committee refusing to grant a variation pursuant to the provisions of section 23-29.1-4(A) may, within thirty (30) days after the decision, commence an action in district court against the executive secretary of the joint committee, only in his or her official capacity for a review of the decision. The findings of the joint committee shall be conclusive unless clearly erroneous. A party aggrieved by a final order of the court may seek review thereof in the Supreme Court by petition for writ of certiorari in accordance with the procedures contained in section 24-25-16.

108.0 Enforcement

108.1 The building code element of this code is only enforceable by the Building Commissioner, his or her staff, and those local building officials who are further trained and certified by the Building Commissioner. The fire code element of this code is only enforceable by the State Fire Marshal, his or her staff, and those assistant deputy state fire marshals who are further trained and certified by the State Fire Marshal. The above-certified officials shall utilize the existing enforcement procedures of the fire code, when enforcing a fire code element, and the building code, when enforcing a building code element.

108.2 Upon request of a building owner, his or her architect or engineer, the Building Commissioner, the State Fire Marshal, or any other interested party, the Rehabilitation Board shall provide reasonable interpretation of the provisions of the Rehabilitation Code. The above interpretations shall be binding upon all parties until such time as the subject code section is amended pursuant to R.I.G.L. 23-29.1-2(b)(2).

Rhode Island Rehab Code

Chapter 2. Definitions

201.0 General

201.1 The words and terms used in this code shall have the following meanings unless the context clearly indicates otherwise. Any term not defined herein which is defined in any other code applicable to this code shall have the meaning as defined in that code. Where a term is defined in this code and is also defined in another code, then the term shall have the meaning as defined herein wherever it is used in this code. Words used in the present tense include the future. Words in the masculine gender include the feminine and neuter. The singular number includes the plural and the plural number includes the singular.

202.0 Definitions

Accessibility: See Chapter 10, Accessibility

Administrative requirements: Statutory and/or regulatory requirements addressing non-structural safety requirements of an occupancy such as firefighters on duty in a Place of Assembly or a certain number of fire drills in an Educational Occupancy.

Approximate fire rating: A determination by the Authority Having Jurisdiction that the referenced component of a building is the rough equivalent of a comparably listed or recognized assembly. For example, a solid core wood door, with a minimum thickness of one and three-eighths (1 3/8") inches, installed securely in an existing door jamb, may be determined to have an approximate fire rating of twenty minutes. Likewise, a layer of five-eighths (5/8") inch sheetrock over an existing plaster ceiling, or comparable assembly approved by the State Fire Marshal and the Building Commissioner, may be determined to provide an approximate fire separation of one hour between occupancies. In determining the approximate fire rating of an assembly, the authority having jurisdiction may rely upon Section 720 (calculated fire resistance) of the International Building Code, 2000 edition. (Appendix A)

Artist-in-residence: An artist or artists using a space within a building for combined living and artistic working purposes.

As amended: The term "as amended" as used herein, refers to the rules and regulations, legally adopted by the Building Board and/or Fire Board, which clarify, modify and/or amend the referenced model code or statutory provision.

Authority having jurisdiction: The State Building Commissioner, his or her certified staff and certified building officials shall enforce the Building Code element of this Code. The State Fire Marshal, his or her certified staff and certified Assistant Deputy State Fire Marshals shall enforce the Fire Code element of this Code. See also definitions of Certified Building Official and Certified Assistant Deputy State Fire Marshal.

Boiler Code: Rhode Island Boiler and Pressure Vessel Code – 1989.

Building Code: R.I.G.L. 23-27.3-100 et seq. and all rules and regulations adopted by the Building Code Standards Committee pursuant to R.I.G.L. 23-27.3-101.9 (a-c), Regulation SBC-1, dated May 1, 1998.

Building Board: The Rhode Island Building Code Standards Committee established pursuant to R.I.G.L. 23-27.3-100.1.4.

Categories of work: The nature and extent of construction work undertaken in an existing building. The following categories of work entail increased requirements respectively:

Repair: The patching, restoration, painting and/or minor replacement of materials, elements, components, equipment and/or fixtures for the purposes of maintaining such materials, elements, components, equipment and/or fixtures in good or sound condition.

Renovation: The change, strengthening or addition of load bearing elements, the refinishing, replacement, bracing, strengthening, upgrading or extensive repair of existing materials, elements, components, equipment and/or fixtures. Renovation involves no reconfiguration of spaces.

Alteration: The reconfiguration of any space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment.

Reconstruction: The reconfiguration of a space which affects an exit, or a corridor shared by more than a single tenant; and/or reconfiguration of space such that the rehabilitation work area is not permitted to be occupied because existing means of egress and fire protection systems, or their equivalent, are not in place or continuously maintained; and/or extensive alterations as defined in Chapter 5 of this code.

Change of occupancy: A change in the purpose for which a building or portion thereof is used or intended to be used as defined in the Building Code.

Addition: An increase in building area, aggregate floor area, height or number of stories of a structure.

Certified Assistant Deputy State Fire Marshal: An Assistant Deputy State Fire Marshal, or certified member of the State Fire Marshal's staff, who has been trained and certified by the State Fire Marshal to enforce the fire code elements of this code.

Certified Building Official: A Building Official, or certified member of the Building Commissioner's staff, who has been trained and certified by the State Building Commissioner to enforce the building code elements of this code.

Complex rehabilitation project involving multiple codes: A rehabilitation project or portion thereof that involves two or more construction codes enumerated in Section 105.2 and (1) is in one of the following categories of work: addition, change of occupancy or reconstruction or (2) is in any category of work and involves the installation of sprinklers.

Construction permit application: Any application made to a state or local jurisdiction for a permit or other government approval for a rehabilitation project.

Covered occupancies: See Table 202.0.

Dangerous (structurally): Where the stresses in any member, the condition of the building or any of its components or elements or attachments, or other condition that results in an overload exceeding one hundred fifty (150%) percent of the stress allowed for the member or material in the Building Code.

Electrical Code: See regulation SBC-5, as adopted and amended by the Building Code Standards Committee.

Elevator Code: Rhode Island Elevator Safety Code, dated May 15, 1999.

Energy Code: See regulation SBC-8, as adopted and amended by the Building Code Standards Committee.

Equipment or fixture: Any plumbing, heating, electrical, ventilating, air conditioning, refrigerating and fire protection equipment, and elevators, dumb waiters, escalators, boilers, pressure vessels and other mechanical facilities or installations, which are related to building services. Equipment or fixture shall not include manufacturing, production or process equipment, but shall include connections from building service to process equipment.

Exit: That portion of a means of egress that is separated from all other spaces of the building or structure by construction or equipment, in accordance with the adopted version of NFPA 101 Life Safety Code for new construction, to provide a protected way of travel to the exit discharge. Exits include exterior exit doors, exit passageways, horizontal exits, separated exit stairs, and separated exit ramps.

Exit access: That portion of a means of egress that leads to an exit.

Exit discharge: That portion of a means of egress between the termination of an exit and a public way.

Fire alarm system: A mandated fire detection system as outlined in R.I.G.L. 23-28.25-1 et seq. including all related rules and regulations adopted by the Fire Safety Code Board of Appeal and Review pursuant to R.I.G.L. 23-28.3-3.

Fire Board: Rhode Island Fire Safety Code Board of Appeal and Review established pursuant to R.I.G.L. 23-28.3-2.

Fire Prevention Code: NFPA 1- Fire Prevention Code and NFPA 101- Life Safety Code for new construction as amended by the Fire Safety Code Board of Appeal and Review.

Fire Safety Code: R.I.G.L. 23-28.1-1 et seq. and all rules and regulations adopted by the Fire Safety Code Board of Appeal and Review pursuant to R.I.G.L. 23-28.3-3, including the Rhode Island Fire Prevention Code.

Hazard of Contents:

High Hazard: High Hazard contents shall be classified as those that are likely to burn with extreme rapidity from which explosions are likely.

Low Hazard: Low hazard contents shall be classified as those of such low combustibility that no self-propagating fire therein can occur.

Ordinary Hazard: Ordinary hazard contents shall be classified as those that are likely to burn with moderate rapidity or to give off a considerable volume of smoke.

High-rise building: A building greater than seventy-five (75') feet in height where the building height is measured from the lowest level of fire department vehicle access to the floor of the highest occupiable story.

Historical building: See 901.1.1 Definition: Historical Building.

Horizontal exit: A way of passage from one building to an area of refuge in another building on approximately the same level, or a way of passage through or around a fire barrier to an area of refuge on approximately the same level in the same building that affords safety from fire and smoke originating from the area of incidence and areas communicating therewith.

Imminent danger: Any conditions or practices in any occupancy or structure that pose a danger that could reasonably be expected to cause death, serious physical harm, or serious property loss.

Labeled: Equipment or materials to which has been attached a label, symbol, or other identifying mark of an organization that is acceptable to the authority having jurisdiction and concerned with product evaluation, that maintains periodic inspection of production of labeled equipment or materials, and by whose labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.

Legal Use: The last recorded use of a building that was established and approved by the local zoning official.

Life Safety Code: References to the "Life Safety Code" in the text of this Code, shall refer the user to the provisions of the NFPA 101, Life Safety Code, 2000 Edition, unless otherwise noted.

Load bearing element: Any column, girder, beam, joist, truss, rafter, wall, floor or roof sheathing which supports any vertical load in addition to its own weight, and/or any lateral load.

Local jurisdiction: See definitions of Certified Building Official and Certified Assistant Deputy State Fire Marshal (above).

Maintenance requirements: Statutory and/or regulatory requirements addressing the manner and frequency of inspection, repair and/or replacement of the fire protection equipment and systems in a building such as sprinkler and fire alarm systems, exit signs, emergency lighting, fire extinguishers and cooking and other suppression systems.

Materials and methods requirements: Those requirements in the Building Code, Mechanical Code, Plumbing Code, Rhode Island Fire Safety Code, Rhode Island Fire Prevention Code, Electrical Code, Boiler Safety Code, Energy Code, Elevator Code, or Accessibility Code that specify material standards, details of installation and connection, joints, penetrations and continuity of any element, component or system in the building. The required quantity, fire-resistance, flame spread, acoustic or thermal performance, or other performance attribute is specifically excluded from materials and methods requirements.

Means of egress: A continuous and unobstructed way of travel from any point in a building or structure to a public way consisting of three separate and distinct parts: (1) the exit access, (2) the exit, and (3) the exit discharge.

Means of escape: A way out of a building or structure that does not conform to the strict definition of *means of egress* but does provide an alternate way out.

Mezzanine: An intermediate level between the floor and the ceiling of any room or space.

Mechanical Code: See regulation SBC-4, dated April 1, 1998.

Minimum Housing Code: Adopted pursuant to RIGL 45-24.2-1.

Occupancy classification: The classification of occupancies into groups in accordance with Section 302 of the Building Code as modified by Section 202.0 of this Code.

The following table is provided for the user's convenience in order to allow quick cross-reference between the chapters of NFPA 101, Life Safety Code and the Building Code covering a specific occupancy.

Table 202.0

Occupancy or Use	B.O.C.A Use Group	NFPA 101, Life Safety Code 2000 Edition Chapter
Assembly	A-1, A-2, A-3, A-4, A-5	Chapter 13
Lodging or Rooming	R-1	Chapter 26
Hotels & Dormitories	R-1	Chapter 29
Apartments (4 units and up)	R-2	Chapter 31
Mercantile	M	Chapter 37
Business	B	Chapter 39
Industrial	F-1, F-2	Chapter 40
Storage	S-1, S-2	Chapter 42

Operational requirements: Statutory and/or regulatory requirements addressing how a building is operated such as the determination of the maximum occupancy in a Place of Assembly.

Permit: An official document or certificate issued by the authority having jurisdiction which authorizes performance of a specific activity.

Plumbing Code: See regulation SBC-3, dated April 1, 1998.

Rehabilitation: Any work, as described by the categories of work defined herein, undertaken in an existing building.

Rehabilitation Board: Rhode Island Joint Committee on the Rehabilitation Building Code for Existing Buildings and Structures established pursuant to R.I.G.L. 23-29.1-2.

Rehabilitation Code: A code designed to encourage the continued use or reuse of legally existing buildings adopted pursuant to the provisions of R.I.G.L. 23-29.1-1 et seq.

Rehabilitation work area: That portion of a building affected by any renovation, alteration or reconstruction work as initially intended by the owner and indicated as such in the permit. Rehabilitation work area excludes other portions of the building where incidental work entailed by the intended work must be performed, and portions of the building where work not initially intended by the owner is specifically required by this code.

Sprinkler system: A system, designed in accordance with NFPA 13, 13R and/or 13D, as required and/or amended pursuant to R.I.G.L. 23-29.1-1 et seq., which sharply reduces the heat release rate of a fire and preventing its regrowth by means of direct and sufficient application of water through the fire plume to the burning surface.

Structural frame: The structural frame shall be considered to be the columns and the girders, beams, trusses and spandrels having direct connections to the columns and bracing members designed to carry gravity loads. The members of floor or roof panels which have no connection to the columns shall be considered secondary members and not a part of the structural frame.

Substantial damage: For the purpose of determining compliance with the flood provisions of this code, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50%) percent of the market value of the structure before the damage occurred.

Substantial improvement: For the purpose of determining compliance with the flood provisions of this code, any repair, alteration, addition, or improvement of a building or structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the code official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historical structure provided that the alteration will not preclude the structure's continued designation as a historical structure.

Substantial structural damage: A condition where:

1. The vertical elements of the lateral force resisting system in any story, in any direction and taken as a whole, have suffered damage such that the lateral load-carrying capacity has been reduced by more than twenty (20%) percent from its pre-damaged condition, or;
2. The vertical load carrying components supporting more than thirty (30%) percent of the structure's floor or roof area have suffered a reduction in vertical load carrying capacity to below seventy five (75%) percent of the International Building Code required strength levels calculated by either the strength or allowable stress method.

Technically infeasible: A change to a building that has little likelihood of being accomplished because the existing structural conditions require the removal or modification of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with applicable requirements.

Unsafe buildings or equipment: Buildings or existing equipment that are unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition.

Work area: That portion or portions of a building consisting of all renovated or reconfigured spaces as indicated on the construction documents. Work area excludes other portions of the building where incidental work entailed by the intended work must be performed, and portions of the building where work not initially intended by the owner is specifically required by this code.

Rhode Island Rehab Code
Chapter 3. Repairs

301.0 General

301.1 Repairs are defined as the patching, restoration, painting and/or minor replacement of materials, elements, components, equipment and/or fixtures for the purposes of maintaining such materials, elements, components, equipment and/or fixtures in good or sound condition. All repairs shall comply with the requirements of this Chapter.

Exception: As modified in Chapter 9 for repairs in historical buildings.

302.0 Requirements

302.1 Except as is otherwise required herein, work shall be done using like materials, or materials permitted by the Building Code, Mechanical Code, Plumbing Code, Rhode Island Fire Safety Code, NFPA 101 Life Safety Code, Rhode Island Fire Prevention Code, Electrical Code, Boiler Safety Code or Elevator Code as applicable. **BFO**

302.1.1 Hazardous materials no longer permitted, such as asbestos and lead-based paint, shall not be used. **B**

302.1.2 Conformance: The work shall not make the building less conforming with the building, plumbing, mechanical, electrical or fire codes of the jurisdiction, or with alternative materials, design and methods of construction or any previously approved plans, modifications, alternate methods or compliance alternatives, than it was before the repair was undertaken. **BFO**

302.1.3 Flood hazard areas: In flood hazard areas, repairs that constitute substantial improvement shall require that the building comply with the Building Code section 107.0 **B**

302.2 Replacement glazing in hazardous locations shall comply with the Safety Glazing requirements of Section 2406 of the Building Code, and paragraph 2403.1 referenced therein. **B**

Exceptions:

1. *Glass-block walls may be repaired using like materials.*
2. *Louvered windows and jalousies may be repaired using like materials.*

302.3 Structural: Repairs of structural elements shall comply with this section. The work shall cause no diminution of structural strength. The work shall not make the building less conforming with the Building Code, Mechanical Code, Plumbing Code, Rhode Island Fire Safety Code, NFPA 101-Life Safety Code, Rhode Island Fire Prevention Code, Electrical Code, Boiler Safety Code, Energy Code, Elevator Code, or Accessibility Code where applicable, or with any previously approved alternative arrangements, than it was before the repair was undertaken. **B**

302.3.1 Wind design: Wind design of existing buildings shall be based upon the procedures specified in the Building Code. **B**

302.3.2 Reduction of strength: Repairs shall not reduce the structural strength or stability of the building, structure or any individual member thereof. **B**

Exception: Such reduction shall be allowed provided the capacity is not reduced to below the requirements of the Building Code.

302.3.3 Damaged buildings: Damaged buildings shall be repaired in accordance with this section. **B**

302.3.3.1 New structural frame members: New structural frame members used in the repair of damaged buildings, including anchorage and connections, shall comply with the Building Code unless the authority having jurisdiction specifically allows replacement with like materials. **B**

302.3.4 Substantial structural damage: Buildings which have sustained substantial structural damage shall comply with this section. **B**

302.3.4.1 Engineering evaluation and analysis: An engineering evaluation and analysis which establishes the structural adequacy of the damaged building shall be prepared by a registered design professional and submitted to the code official. The evaluation and analysis may assume that all non-damaged structural elements and systems have their original strength and stiffness. **B**

302.3.4.2 Extent of repair: The evaluation and analysis shall demonstrate that the building once repaired complies with the wind provisions of the Building Code. **B**

302.3.5 Below substantial structural damage: Repairs to buildings damaged to a level below the substantial structural damage level as defined in Chapter 2 of this Code shall be allowed to be made with the materials, methods and strengths in existence prior to the damage unless such existing conditions are dangerous as defined in Chapter 2. New structural frame members, as defined in Chapter 2, shall comply with Section 302.3.3.1. **B**

302.3.6 Other uncovered structural elements: Where in the course of conducting repairs, other uncovered structural elements are found to be unsound or otherwise structurally deficient, such elements shall be made to conform to the provisions of section 302.3.4.1 of this Code. **B**

302.3.7 Flood hazard areas: In flood hazard areas, damaged buildings that sustain substantial damage shall be brought into compliance with Building Code section 3107.0. **B**

302.3.8 Re-roofing: Re-roofing in excess of twenty-five (25%) percent of the roof area of the entire building shall comply with section 403.2.1 of this code. **B**

302.4 Plumbing

302.4.1 Materials: The following plumbing materials and supplies shall not be used unless specifically allowed by the current plumbing code:

1. Sheet and tubular copper and brass trap and tailpiece fittings less than the minimum wall thickness of .027" (0.69 mm).
2. Solder having more than 0.2% lead in the repair of potable water systems.
3. Water closets having a concealed trap seal or an unventilated space or having walls that are not thoroughly washed at each discharge in accordance with ASME A112.19.2.
4. The following types of joints shall be prohibited:
 - a. Cement or concrete joints
 - b. Mastic or hot-pour bituminous joints
 - c. Joints made with fittings not approved for the specific installation
 - d. Joints between different diameter pipes made with elastomeric rolling O-rings
 - e. Solvent-cement joints between different types of plastic pipe
 - f. Saddle-type fittings
5. The following type of traps are prohibited:
 - a. Traps that depend on moving parts to maintain the seal.
 - b. Bell traps
 - c. Crown-vented traps
 - d. Traps not integral with a fixture and that depend on interior partitions for the seal, except those traps constructed of an approved material that is resistant to corrosion and degradation. **B**

302.4.2 Water closet replacement: When any water closet is replaced, the replacement water closet shall comply with the Plumbing Code SBC-3. The maximum water consumption flow rates and quantities for all replaced water closets shall be 1.6 gallons (6L) per flushing cycle. **B**

Exception: Blowout design water closets [3.5 gallons (13L) per flushing cycle].

302.5 Electrical: Existing electrical wiring and equipment undergoing repair shall be allowed to be repaired or replaced with like material. **B**

Exceptions:

- 1. Electrical products shall comply with Section 110-3(b) "Installation and Use" of the Electrical Code.*
- 2. Replacement of electrical receptacles shall comply with the requirements of Section 210-7(d) of the Electrical Code.*
- 3. Plug fuses of the Edison-base type shall be used for replacements only where there is no evidence of over fusing or tampering per Section 240-51(b) of the Electrical Code.*
- 4. For replacement of non-grounding-type receptacles with grounding-type receptacles and for branch circuits that do not have an equipment grounding conductor in the branch circuit, the grounding conductor of a grounding type receptacle outlet shall be permitted to be grounded to any accessible point on the grounding electrode system as described in Section 250-81 of the Electrical Code, or to any accessible point on the grounding electrode conductor.*
- 5. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and outlet or junction boxes that are part of the existing branch circuit for these appliances shall be permitted to be grounded to the grounded circuit conductor if all the conditions of Section 250-60 of the Electrical Code are met.*

302.6 Mechanical

302.6.1 Defective material or parts shall be replaced or repaired in such a manner so as to preserve the original approval or listing. **B**

302.6.2 Temporary repairs may not be made to a damaged heat exchanger. **B**

302.7 Boilers and Pressure Vessels

302.7.1 Repairs and replacements of fittings or appliances shall comply with the Mechanical Code SBC 4. **B**

302.7.2 Repairs of boilers or pressure vessels shall comply with the requirements specified in the Rhode Island Boiler and Pressure Vessel Code, 1989 edition. (Boilers over 200,000 BTU require approval by Department of Labor and Training.) **BO**

302.8 Elevators: All repairs shall be done in accordance the Rhode Island Elevator Safety Code, May 15, 1999 edition. (Elevator approval by the Department of Labor and Training.) **BO**

NOTE: Where the section is followed by the letter "B", "F", or "O", the following meaning shall apply:

"B" This means that the Building Official or the Plumbing, Mechanical or Electrical Inspector shall review the plans, issue the permit, inspect the installation, and approve the final certificate.

"F" This means that the Fire Official shall review the plans for approval, the Fire Official and/or the Building Official inspects the installation, and the Fire Official observes the final test and approves the final installation. The Building Official shall issue the permits.

"O" This would indicate another State agency approval and inspection is needed. An explanation will indicate the agency and approvals needed.

Rhode Island Rehab Code
Chapter 4. Renovations

401.0 General Requirements

401.1 Renovations are defined as the change, strengthening or addition of load bearing elements, the refinishing, replacement, bracing, strengthening, upgrading or extensive repair of existing materials, elements, components, equipment and/or fixtures. Renovation involves no reconfiguration of spaces. All renovations shall comply with the requirements of this Chapter.

Exception: As modified in Section 904.0 for historical buildings.

401.2 All new work shall comply with the materials and methods requirements, as defined in Chapter 2.

401.3 The work shall not make the building less conforming with the Building Code, Mechanical Code, Plumbing Code, Rhode Island Fire Safety Code, Rhode Island Fire Prevention Code, NFPA 101, Life Safety Code for existing buildings, Electrical Code, Boiler Safety Code, Energy Code, Elevator Code, or Accessibility Code as applicable, or with any previously approved alternative arrangements, than it was before the renovation was undertaken. **BFO**

Exception: Minor reductions in the clear opening dimensions of replacement doors and windows that result from the use of different materials shall be allowed, unless such reductions are prohibited by ADAAG.

402.0 Additional Requirements

402.1 New interior finishes shall comply with the flame spread requirements of NFPA 101, Life Safety Code for new construction. **F**

402.2 New carpeting used as an interior floor finish material shall comply with the radiant flux requirements of NFPA 101, Life Safety Code for new construction. **F**

402.3 Replacement glazing in hazardous locations shall comply with the Safety Glazing requirements of Section 2406 of the Building Code, and paragraph 2403.1 referenced therein. **B**

Exceptions:

1. *Glass-block walls may be repaired using like materials.*
2. *Louvered windows and jalousies may be repaired using like materials.*

403.0 Structural Requirements

403.1 Structural elements which are uncovered during the course of the renovation and which are found to be unsound or structurally dangerous, shall be rehabilitated to comply with the load requirements of Chapter 16 of the Building Code and the applicable material stress requirements of Chapters 19 (Concrete), 20 (Aluminum), 21 (Masonry), 22 (Steel), or 23 (Wood) of the Building Code. Where renovation work includes replacement of equipment that is supported by the building or where a re-roofing permit is required, the structural provisions of this section shall apply. **B**

403.2 Design criteria: Existing structural components supporting renovation work shall comply with this section. **B**

403.2.1 Replacement of roofing or equipment: Where replacement of roofing or equipment results in additional dead loads, structural components supporting such re-roofing or equipment shall comply with the vertical load requirements of the Building Code. **B**

Exceptions:

1. *Structural elements whose stress is not increased by more than five (5%) percent.*
2. *Buildings constructed in accordance with the conventional construction methods of the Building Code and where the additional dead load from the equipment is not increased by more than five (5%) percent.*

403.3 Roof diaphragm: Where roofing materials are removed from more than fifty (50%) percent of the roof diaphragm of a building or section of a building where the roof diaphragm is a part of the main wind force resisting system the integrity of the roof diaphragm shall be evaluated and if found deficient due to insufficient or deteriorated connections such connections shall be provided or replaced. **B**

404.0 Accessibility

404.1 Buildings undergoing a renovation that affects the usability of the building by persons with disabilities shall comply with Chapter 10 of this Code. **B**

405.0 Plumbing

405.1 Water conservation: When any water closet, urinal, lavatory faucet, kitchen faucet or shower head is replaced, the replacement fixture shall comply with the water conservation requirements specified in Table 604.4 of the International Plumbing Code, 2000. **B**

406.0 Boilers and Pressure Vessels

406.1 Installation or replacement of fittings, appliances and boilers shall be in accordance with the Mechanical Code. **BO**

406.2 Replacement boiler installed in an existing building shall comply with access and egress requirements specified in the Rhode Island Boiler and Pressure Vessel Code, 1989 edition and/or the Mechanical Code SBC-4. (Boilers over 200,000 BTU require approval by the Department of Labor and Training.) **BO**

406.3 A boiler room in which a new or replacement boiler is installed shall comply with the air and ventilation requirements specified in Mechanical Code SBC 4. **B**

407.0 Elevators

407.1 Any renovation of an existing elevator shall comply with Part XII of the ASME A 17.1-1996 and all subsequent amendments and revisions to it, as adopted by the Rhode Island Elevator Safety Code, May 15, 1999 edition. (Elevator approval by the Department of Labor and Training.) **BO**

Exception: The installation of new elevators shall comply with Section 501.3.

NOTE: Where the section is followed by the letter “B”, “F”, or “O”, the following meaning shall apply:

“B” This means that the Building Official or the Plumbing, Mechanical or Electrical Inspector shall review the plans, issue the permit, inspect the installation, and approve the final certificate.

“F” This means that the Fire Official shall review the plans for approval, the Fire Official and/or the Building Official inspects the installation, and the Fire Official observes the final test and approves the final installation. The Building Official shall issue the permits.

“O” This would indicate another State agency approval and inspection is needed. An explanation will indicate the agency and approvals needed.

Rhode Island Rehab Code
Chapter 5. Alterations

501.0 General Requirements

501.1 Alterations are defined as the reconfiguration of any space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment. All alterations shall comply with the requirements of this Chapter and Chapter 4 of this Code.

Exception: As modified in Section 904.0 for historical buildings.

501.2 Extensive Alterations

501.2.1 The alteration of an entire building or an entire occupancy within a building shall be considered as a reconstruction and shall comply with the requirements of Chapter 6 of this code for the applicable occupancy. **BFO**

Exception: Alteration work that is exclusively either plumbing, mechanical, fire protection system or electrical shall not be considered a reconstruction, regardless of its extent.

501.2.2 When the total area of all the rehabilitation work areas included in an alteration exceeds fifty (50%) percent of the area of the building the work shall be considered as a reconstruction and shall comply with the requirements of Chapter 6 of this code for the applicable occupancy. **BFO**

Exception: Rehabilitation work areas in which the alteration work is exclusively either plumbing, mechanical, fire protection system or electrical shall not be included in the computation of total area of all rehabilitation work areas.

501.3 All newly constructed elements, components and systems, including the installation of new elevators and boilers, shall comply with the requirements of the Building Code, Mechanical Code, Plumbing Code, NFPA 101 Life Safety Code for new construction, Electrical Code, Boiler Safety Code, Energy Code, Elevator Code, and Accessibility Code as applicable. **BFO**

Exceptions:

1. *Openable windows may be added without requiring compliance with the light and ventilation requirements of the Building Code.*
2. *Newly installed electrical equipment shall comply with the requirements of Section 504.0.*

501.4 The alteration work shall not make the building less conforming with the building, plumbing, mechanical, electrical or fire codes of the jurisdiction, or with alternative materials, design and methods of construction or any previously approved plans, modifications, alternate methods or compliance alternatives, than it was before the alteration was undertaken. **BFO**

501.5 Interior Space Dimensions

501.5.1 In Groups R-1 and R-2, when habitable spaces as defined in Chapter 2 of the Building Code are created in previously unoccupied space, other than a kitchen, they shall not be less than seven (7') feet in any plan dimension. **B**

501.5.2 In Groups R-1 and R-2, when habitable spaces as defined in Chapter 2 of the Building Code are created in previously unoccupied space, they shall have a ceiling height of not less than seven (7') feet. **B**

Exceptions:

1. *Beams, girders, ducts or pipes spaced not less than four (4') feet on center and projecting not more than six (6") inches below the required ceiling height.*
2. *For rooms with a sloped ceiling, the prescribed ceiling height is required for at least 35 square feet of the floor area of the room. Any portion of the room measuring less than five (5') feet from the finished floor to the finished ceiling shall not be considered usable floor area and shall not be included in any computation of the minimum area thereof.*

501.5.3 In Groups R-1 and R-2, when habitable spaces as defined in Chapter 2 of the Building Code are created in previously unoccupied space, other than a kitchen, they shall have a net floor area of not less than 70 square feet. **B**

502.0 Structural Requirements

502.1 General: Where alteration work includes installation of additional equipment that is structurally supported by the building or reconfiguration of space such that portions of the building become subjected to higher gravity loads as required by Tables 1607.1 and 1607.6 of the Building Code, the provisions of this section shall apply. **B**

502.2 Reduction of strength: Alterations shall not reduce the structural strength or stability of the building, structure or any individual member thereof. **B**

Exception: Such reduction shall be allowed as long as the strength and the stability of the building are not reduced to below the Building Code requirements.

502.3 New structural members: New structural members in alterations, including connections and anchorage, shall comply with the Building Code unless the authority having jurisdiction specifically allows replacement with like materials. **B**

502.4 Existing structural members: Existing structural components supporting additional equipment or subjected to additional loads based on the Building Code Tables 1607.1 and 1607.6 as a result of a reconfiguration of spaces shall comply with Sections 502.4.1 through 502.4.3 of this Code. **B**

502.4.1 Gravity loads: Existing structural elements supporting any additional gravity loads as a result of additional equipment or space reconfiguration shall comply with the Building Code. **B**

Exceptions:

1. *Structural elements whose stress is not increased by more than five (5%) percent.*
2. *Buildings of Group R occupancy with not more than five (5) dwelling units or guest rooms used solely for residential purposes where the existing building and its alteration comply with the conventional light-frame construction methods of the Building Code.*

502.4.2 Snow drift loads: Any structural element of an existing building subjected to additional loads from the effects of snow drift as a result of additional equipment shall comply with the Building Code. **B**

Exceptions:

1. *Structural elements whose stress is not increased by more than five (5%) percent.*
2. *Buildings of Group R occupancy with no more than 5 dwelling units or guest rooms used solely for residential purposes where the existing building and its alteration comply with the conventional light-frame construction methods of the Building Code.*

503.0 Accessibility

503.1 Buildings undergoing an alteration that affects the usability of the building by persons with disabilities shall comply with Chapter 10 of this Code. **B**

504.0 Electrical Equipment and Wiring

504.1 All newly installed electrical equipment and wiring relating to work done in any rehabilitation work area shall comply with the materials and methods requirements as defined in Chapter 2. **B**

Exception: Electrical equipment and wiring in newly installed partitions and ceilings shall comply with all applicable requirements of the Electrical Code.

504.2 Existing wiring in all rehabilitation work areas in Groups A-1, A-2, and A-5 (Theater, Assembly), shall be upgraded to meet the materials and methods requirements as defined in Chapter 2. **B**

504.3 Service and/or feeder in Group R-2: Service to each existing dwelling unit in any rehabilitation work area shall be a minimum of one hundred ampere, three-wire capacity, and service equipment shall be dead front having no live parts exposed whereby accidental contact could be made. **B**

Exception: Existing service of sixty-ampere three-wire capacity, and feeders of thirty ampere or larger two- or three-wire capacity, shall be accepted if adequate for the electrical load being served.

504.3.1 Type "S" fuses shall be installed in accordance with Sections 240-53 and 240-54 of the Electrical Code when fused equipment is used. **B**

504.4 In Group R-2, when the rehabilitation work area includes any of the following areas within a dwelling unit, the following requirements shall apply: **B**

504.4.1 All enclosed areas, other than closets, kitchens, basements, garages, hallways, laundry areas and bathrooms shall have a minimum of two duplex receptacle outlets or one duplex receptacle outlet and one ceiling or wall type lighting outlet. **B**

504.4.2 Kitchen areas shall have a minimum of two duplex receptacle outlets and a hard-wired lighting outlet. At least one of the required duplex receptacles shall be provided to serve counter space. **B**

504.4.3 Laundry areas shall have a minimum of one duplex receptacle outlet located near the laundry equipment and installed on an independent circuit. **B**

504.4.4 Ground fault circuit interruption shall be provided on newly installed receptacle outlets if required by Section 210-8(a) of the Electrical Code. **B**

504.4.5 At least one lighting outlet shall be provided in every bathroom, hallway, stairway, attached garage and detached garage with electric power, and to illuminate outdoor entrances and exits. **B**

504.4.6 At least one lighting outlet shall be provided in utility rooms and basements where these spaces are used for storage or contain equipment requiring service. **B**

504.4.7 Clearance for electrical service equipment shall be provided in accordance with Section 110-16 of the Electrical Code. **B**

504.5 In Group R-2, when the rehabilitation work area includes spaces converted into kitchen or laundry areas, receptacle outlets in these areas shall comply with applicable requirements of Sections 210-52 (a), (b), (c), and (f) of the Electrical Code. **B**

504.6 Where the work changes an existing space where ground fault circuit interruption is not required into a location where such protection is required by Sections 210-8 (dwelling units, all bathrooms and rooftops), 555-3 (boathouses), 511-10 (commercial garages), 620-85 (elevators, escalators and moving walkways), 517-20 and 517-21 (health care facilities), 422-8(d)(3) (high-pressure spray washing appliances), 680-70 (hydromassage bathtubs), 530-73(a)(1) (motion picture and TV studios), and 680-6(a) (permanently installed pools) of the Electrical Code, existing receptacle outlets shall be provided with such protection in accordance with the Electrical Code. **B**

505.0 Plumbing Fixtures

505.1 Where the rehabilitation work area is more than fifty (50%) percent of the gross floor area as defined in Section 1002 of the Building Code, and the occupant load will be increased by at least twenty (20%) percent as a result of the modification, plumbing fixtures shall be provided based on the increased occupant load in the rehabilitation work area in quantities and locations specified in Section 403 of the Plumbing Code based on the increased occupant load. **B**

506.0 Mechanical

506.1 All reconfigured spaces intended for occupancy and all spaces converted to habitable or occupiable space in any rehabilitation work area shall be provided with either natural or mechanical ventilation. **B**

506.1.1 Natural ventilation shall be provided by the minimum openable area to the outdoors of four (4%) percent of the floor area being ventilated. **B**

506.1.2 Newly installed mechanical ventilation systems shall comply with the requirements of Section 403 of the International Mechanical Code. **B**

Exception: Existing mechanical ventilation systems shall comply with the requirements of Section 506.2.

506.2 In mechanically ventilated spaces, existing mechanical ventilation systems that are altered, reconfigured or extended shall be capable of providing not less than five (5) cubic feet per minute (cfm) per person of outdoor air and not less than fifteen (15) cfm of ventilation air per person. **B**

506.3 All newly-introduced devices, equipment or operations that produce airborne particulate matter, odors, fumes, vapor, combustion products, gaseous contaminants, pathogenic and allergenic organisms, and microbial contaminants in such quantities to adversely affect or impair health, or cause discomfort to occupants shall be provided with an exhaust system in compliance with Chapter 5 of the Mechanical Code or a means of collection and removal of the contaminants. Such exhaust shall discharge directly to an approved location at the exterior of the building. **B**

507.0 Commercial Kitchens

507.1 Where the rehabilitation work area includes a commercial kitchen and the alteration includes reconfiguration or extension of cooking equipment or the installation of additional cooking equipment, existing grease ducts, exhaust equipment, and kitchen hoods shall be brought into compliance with all the requirements in Sections 506 and 507 of the Mechanical Code and enforced by the Building Official. Jurisdiction for the suppression system for commercial cooking will be enforced solely by the fire official in compliance with NFPA 96 as referenced in the State Fire Code. **BF**

NOTE: Where the section is followed by the letter “B”, “F”, or “O”, the following meaning shall apply:

“B” This means that the Building Official or the Plumbing, Mechanical or Electrical Inspector shall review the plans, issue the permit, inspect the installation, and approve the final certificate.

“F” This means that the Fire Official shall review the plans for approval, the Fire Official and/or the Building Official inspects the installation, and the Fire Official observes the final test and approves the final installation. The Building Official shall issue the permits.

“O” This would indicate another State agency approval and inspection is needed. An explanation will indicate the agency and approvals needed.

Rhode Island Rehab Code

Chapter 6 Reconstruction

601.0 General Requirements

601.1 Reconstruction work is defined as the reconfiguration of a space which affects an exit, or a corridor shared by more than a single tenant; and/or reconfiguration of space such that the rehabilitation work area is not permitted to be occupied because existing means of egress and fire protection systems, or their equivalent, are not in place or continuously maintained; and/or extensive alterations as defined in Chapter 5 of this code. All reconstruction work shall comply with the requirements of this chapter.

Exception: As modified in Section 904.0 for historical buildings.

601.2 In addition to the requirements of Chapter 6 of this code, all work shall comply with all the requirements of Chapters 4 and 5. **BF**

Exceptions:

- 1. Buildings in which the reconfiguration of space affecting exits or shared egress access is exclusively the result of compliance with the accessibility requirements of Chapter 10 shall not be required to comply with Chapter 6.*
- 2. Existing dead end corridors shall be permitted to be extended and new dead end corridors may be added in accordance with 602.1.5.*
- 3. Any stairway replacing an existing stairway within a space where, because of existing construction, the pitch or slope cannot be reduced, shall not be required to comply with the maximum riser height and minimum tread depth requirements.*

601.3 Wherever the term “rehabilitation work area” is used in Chapter 6, it is intended to include only the area affected by reconstruction work, and areas covered by non-structural requirements and extensive alterations. Other rehabilitation work areas affected exclusively by renovation or alteration work shall not be included in the rehabilitation work area that needs to comply with Chapter 6. **BFO**

602.0 Nonstructural Requirements

602.1 Means of Egress F

602.1.1 General: The means of egress shall comply with the requirements of this section. **F**

602.1.2 Number of means of egress: Every story utilized for human occupancy on which there is a rehabilitation work area shall be provided with the minimum number of means of egress required by NFPA 101, Life Safety Code, for existing occupancies. **F**

602.1.2.1 Mezzanines: Mezzanines in the rehabilitation work area shall be provided with the minimum number of means of egress required by NFPA 101, Life Safety Code, for existing occupancies. **F**

602.1.2.2 Buildings with a single means of egress: In buildings having only one means of egress, the single exit condition serving the rehabilitation work area shall be allowed to continue if permitted by the occupancy requirements of NFPA 101, Life Safety Code, for existing occupancies. **F**

602.1.2.3 Assembly occupancies: Assembly occupancies shall be provided with a main entrance/exit as required by NFPA 101, Life Safety Code, for existing occupancies. **F**

602.1.2.4 Egress Stairways and Ramps: Egress stairways and ramps shall meet the requirements of NFPA 101 for existing buildings except as allowed by the authority having jurisdiction in sections 102.3.1 and 601.2, exception 3. **F**

602.1.3 Capacity of means of egress: The capacity of the means of egress in each rehabilitation work area and throughout the egress path of each rehabilitation work area shall be sufficient for the occupant load thereof. Capacity shall be determined in accordance with the requirements of NFPA 101, Life Safety Code, for existing occupancies. **F**

Exceptions:

1. *The authority having jurisdiction shall be permitted to establish the occupant load as the number of persons for which existing means of egress is adequate, provided that measures are established to prevent occupancy by a greater number of persons.*
2. *Where the building was previously determined to have adequate egress capacity.*

602.1.4 Egress Doorways

602.1.4.1 Large areas: In any rehabilitation work area, all rooms and spaces having an occupant load greater than 50 or in which the travel distance exceeds 75 ft (23 m) shall have a minimum of two egress doorways. **F**

Exception: Where a single means of egress is permitted by the existing occupancy requirements in NFPA 101, Life Safety Code.

602.1.4.2 Corridor doors: Corridor doors in the rehabilitation work area shall meet the requirements for existing occupancies in NFPA 101, Life Safety Code. Existing doors in buildings protected throughout with an approved automatic sprinkler system shall be required only to resist smoke; shall not contain louvers; and shall be reasonably tight fitting. **F**

Exceptions:

1. *1 3/8 in solid bonded wood core doors shall be considered acceptable where 1 3/4 in (44 mm) solid bonded wood core doors are required but the existing frames will not accommodate such a door.*
2. *Existing doors meeting the requirements for a rating of 15 minutes or better.*
3. *In small residential board and care occupancies having prompt evacuation capability and which are protected with an approved automatic detection system, closing devices shall be permitted to be omitted.*

602.1.4.3 Transom: In all buildings of residential and residential board and care occupancies, all transoms in corridor walls in rehabilitation work areas shall be either glazed with 1/4 in (6.3 mm) wired glass set in metal frames or other glazing assemblies having a fire protection rating as required for the door and permanently secured in the closed position or sealed with materials consistent with the corridor construction. **F**

Exception: Where transoms are permitted by the existing occupancy requirements of NFPA 101, Life Safety Code.

602.1.4.4 Other corridor openings: In any rehabilitation work area, any other sash, grill or opening in a corridor, and any window in a corridor not opening to the outside air, shall be sealed with materials consistent with the corridor construction. **F**

602.1.4.5 Supplemental requirements: The requirements of 602.1.4.3 through 602.1.4.5 shall apply on the entire floor when the rehabilitation work area exceeds fifty (50%) percent of the floor area. **F**

Exception: Corridors within a tenant space that is entirely outside the rehabilitation work area need not comply.

602.1.4.6 Door swing: In the rehabilitation work area and in the egress path from any rehabilitation work area to the exit discharge, all egress doors shall swing in the direction of egress travel unless it is determined by the authority having jurisdiction that re-swinging an exit discharge door would impose a structural hardship upon the owner, or impede exit access within, or pedestrian traffic outside, the subject building. **F**

602.1.4.7 Door closers: In any rehabilitation work area all doors opening onto an exit passageway at grade or exit stair shall be self-closing or automatic-closing by listed closing devices. **F**

Exception: Where exit enclosure is not required by the fire code.

602.1.4.7.1 Locking Mechanisms: All locking mechanisms on required egress or egress-access doors shall meet the requirements of NFPA 101 for existing buildings. **F**

602.1.4.8 Panic or fire exit hardware: In any rehabilitation work area, and in the egress path from any rehabilitation work area to the exit discharge, in a building or portions thereof of assembly or educational occupancies with an occupant load greater than 100 all required egress doors equipped with latching devices shall be equipped with approved panic or fire exit hardware. **F**

602.1.4.9 Supplemental requirements: The requirements of 602.1.4.6 through 602.1.4.8 shall apply on the entire floor when the rehabilitation work area exceeds fifty (50%) percent of the floor area. **F**

Exception: Means of egress within a tenant space that is entirely outside the rehabilitation work area need not comply.

602.1.5 Dead end corridors: Existing dead end corridors in any rehabilitation work area shall not exceed 35 ft. (11 m). Newly constructed dead end corridors shall comply with other sections of this code. **F**

Exceptions:

1. Where dead-end corridors of greater length are permitted by the existing occupancy requirements of NFPA 101, Life Safety Code.
2. In other than assembly occupancies and areas containing high hazard contents, the maximum length of an existing dead end corridor shall be 50 ft (15 m) in buildings equipped throughout with an approved complete automatic fire alarm system.
3. In other than assembly occupancies and areas containing high hazard contents, the maximum length of an existing dead end corridor shall be 70 ft (21 m) in buildings equipped throughout with an approved automatic sprinkler system.
4. In other than assembly occupancies and areas containing high hazard contents, the maximum length of a newly constructed or extended dead end corridor shall not exceed 50 ft (15 m) in buildings equipped throughout with an approved automatic sprinkler system.

602.1.6 Means of egress lighting

602.1.6.1 Means of egress in all rehabilitation work areas shall be provided with artificial and emergency lighting in accordance with the requirements of NFPA 101, Life Safety Code, for existing occupancies. **F**

602.1.6.2 Supplemental requirements

(a) Where the reconstruction rehabilitation work area on any floor exceeds fifty (50%) percent of that floor area, means of egress throughout the floor shall be provided with artificial lighting in accordance with the requirements of other sections of this Code. **F**

Exception: Means of egress within a tenant space that is entirely outside the rehabilitation work area need not comply.

(b) In a building with rehabilitation work areas involving over fifty (50%) percent of the aggregate floor area within the building, the means of egress within the rehabilitation work area and the means of egress, including the exit and exit discharge paths serving the rehabilitation work area, shall be provided with artificial lighting in accordance with the requirements of other sections of this Code. **F**

Exception: Means of egress within a tenant space that is entirely outside the rehabilitation work area need not comply.

602.1.7 Exit signs

602.1.7.1 Means of egress in all rehabilitation work areas shall be provided with exit signs in accordance with the requirements of NFPA 101, Life Safety Code for existing occupancies. **F**

602.1.7.2 Supplemental requirements:

(a) Where the reconstruction rehabilitation work area on any floor exceeds fifty (50%) percent of that floor area, means of egress throughout the floor shall be provided with exit signs in accordance with the requirements of NFPA 101, Life Safety Code for new construction. **F**

Exception: Means of egress within a tenant space that is entirely outside the rehabilitation work area need not comply.

(b) In a building with rehabilitation work areas involving over fifty (50%) percent of the aggregate floor area within the building, means of egress from the floor of the highest rehabilitation work area to the floor of exit discharge shall be provided with exit signs in accordance with the requirements of other sections of NFPA 101, Life Safety Code for new construction. **F**

Exception: Means of egress within a tenant space that is entirely outside the rehabilitation work area need not comply.

602.1.8 Handrails: The following requirements shall apply from the highest rehabilitation work area floor to the level of exit discharge. **F**

602.1.8.1 Every required exit stairway that is part of the means of egress for any rehabilitation work area that has three or more risers and is not provided with at least one handrail, or in which the existing handrails are judged to be in danger of collapsing, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways with a required egress width of more than 66 in. (1675 mm) shall have handrails on both sides. **F**

602.1.8.2 Where there are no handrails or where the existing handrails must be replaced in accordance with 602.1.8.1, the handrails shall be designed and installed in accordance with the requirements of NFPA 101, Life Safety Code for new construction. **F**

602.1.9 Guards: The following requirements shall apply from the highest rehabilitation work area floor to the level of exit discharge, but shall be confined to the egress path of any rehabilitation work area. **F**

602.1.9.1 Every open portion of a stair, landing, or balcony that is more than 30 in. (760 mm) above the floor or grade below and not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards. **F**

602.1.9.2 Where there are no guards or where the existing guards must be replaced in accordance with 602.1.9.1, the guards shall be designed and installed in accordance with the requirements of NFPA 101, Life Safety Code for new construction. **F**

602.2 Interior Finish

602.2.1 The interior finish of walls and ceilings in any rehabilitation work area shall comply with the requirements for existing occupancies in NFPA 101, Life Safety Code. All existing interior finish materials which do not comply with the requirements of Chapter 6 of this code shall be removed or shall be treated with an approved fire retardant coating in accordance with the manufacturer's instructions to secure compliance with the requirements of this section. **F**

602.2.2 Supplemental Requirements

602.2.2.1 Where the rehabilitation work area on any floor exceeds fifty (50%) percent of that floor area, the requirements of 602.2.1 shall apply to the interior finish in exits and corridors serving the rehabilitation work area on the entire floor. **F**

Exception: Interior finish within a tenant space that is entirely outside the rehabilitation work area need not comply.

602.2.2.2 In a building with rehabilitation work areas involving over fifty (50%) percent of the aggregate floor area within the building, the requirements for interior finishes in exits shall apply from the floor of the highest rehabilitation work area to the floor of exit discharge. **F**

602.3 Shaft enclosures

602.3.1 In any rehabilitation work area, newly constructed vertical openings connecting two or more floors shall comply with the requirements of NFPA 101, Life Safety Code for new construction. All new shafts shall be continuous from floor to floor or floor to roof, including all affected areas that may be outside the rehabilitation work area. **F**

Exception: In buildings protected throughout by a fire alarm system installed in accordance with section 602.6 of this Code or an automatic suppression system in accordance with NFPA 13 or NFPA 13R the following is permitted:

In buildings constructed of other than 3B or 5B construction, where continuity of the shaft enclosure is unfeasible, interior vertical openings other than stairways or other egress components, may be enclosed from floor to ceiling with an approved fire rated assembly.

602.3.2 In any rehabilitation work area, all existing interior vertical openings connecting two or more floors shall be enclosed with approved assemblies in accordance with NFPA 101, Life Safety Code for existing construction. All shafts shall be continuous from floor to floor or floor to roof, including all affected areas that may be outside the rehabilitation work area. **F**

Exceptions: In buildings protected throughout by a fire alarm system installed in accordance with section 602.6 of this code or an automatic suppression system in accordance with NFPA 13 or NFPA 13R the following is permitted:

- 1. In buildings constructed of other than 3B or 5B construction, where continuity of the shaft enclosure is unfeasible, interior vertical openings other than stairways or other egress components, may be enclosed from floor to ceiling with an approved fire rated assembly.*
- 2. In apartment buildings that are no more than three (3) stories in height, stairwells may be enclosed with lathe and plaster walls that have been maintained properly. If there is wainscoting applied, the wainscoting shall be coated with a Class A, flame retardant paint.*
- 3. In non-high rise apartment buildings that are more than three (3) stories in height, stairwells may be enclosed with lathe and plaster walls that have been maintained properly provided the building is protected throughout by a fire alarm system installed in accordance with section 602.6 of this code and the stairwells are protected with an automatic suppression system in accordance with NFPA 13. If there is wainscoting applied, the wainscoting shall be coated with a Class A, flame retardant paint.*
- 4. In mixed-use buildings with apartments located above, that are no more than three (3) stories in height, stairwells may be enclosed with lathe and plaster walls that have been maintained properly. If there is wainscoting applied, the wainscoting shall be coated with a Class A, flame retardant paint.*
- 5. In non-high rise mixed use buildings with apartments located above, that are more than three (3) stories in height, stairwells may be enclosed with lathe and plaster walls that have been maintained properly provided the building is protected throughout by a fire alarm system installed in accordance with section 602.6 of this code and the stairwells are protected with an automatic suppression system in accordance with NFPA 13. If there is wainscoting applied, the wainscoting shall be coated with a Class A, flame retardant paint.*

602.3.3 Supplemental requirements

602.3.3.1 Where the reconstruction rehabilitation work area on any floor exceeds fifty (50%) percent of that floor area, 602.3.2 shall apply throughout the floor. **F**

602.3.3.2 Where the reconstruction rehabilitation work area on any floor exceeds fifty (50%) percent of that floor area, stairways that are part of the means of egress serving the rehabilitation work area shall be enclosed with smoke tight enclosures on all floors below the highest rehabilitation work area floor. **F**

Exception: Where stairway enclosure is not required for existing occupancies in NFPA 101, Life Safety Code.

602.3.3.3 In a building with rehabilitation work areas involving over fifty (50%) percent of the aggregate floor area within the building, stairways that are part of the means of egress shall be enclosed in accordance with 602.3.2 on the highest rehabilitation work area floor and on all floors below it. **F**

602.4 Fire barriers and smoke barriers

602.4.1 Health care occupancies: Where the rehabilitation work area is on a story used for sleeping purposes for more than 30 patients, the story shall be divided into not less than two compartments by smoke barriers as required for existing health care occupancies in NFPA 101, Life Safety Code. **F**

602.4.2 Small residential board and care: Where the rehabilitation work area is in any attached dwelling unit in a small residential board and care occupancy, walls separating the dwelling units which are not continuous from the foundation to the underside of the roof sheathing shall be constructed to provide a continuous fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. All work shall be performed on the side of the wall of the dwelling unit that is part of the rehabilitation work area. **BF**
Exception: Walls are not required to be continuous through concealed floor spaces.

602.5 Automatic sprinkler systems

602.5.1 All rehabilitation work areas in any building or portion thereof that is required to be suppressed in accordance with the provisions of NFPA 101, Life Safety Code for existing buildings shall be provided with an automatic sprinkler system. **F**

Exception: In other than high-rise structures, where an adequate water supply for sprinkler protection is not available, alternative protection measures that are acceptable to the authority having jurisdiction shall be permitted. For purposes of this exception, adequate water supply shall mean that the water supply available at the site has sufficient flow capability at a residual pressure of 20 psi (138,000 N/m²) to meet the sprinkler system demand criteria.

602.5.2 Supplemental requirements

602.5.2.1 Where the rehabilitation work area on any floor exceeds fifty (50%) percent of that floor area, 602.5.1 shall apply to the entire floor. **F**

Exception: In other than high-rise structures, where an adequate water supply for sprinkler protection is not available the authority having jurisdiction shall be permitted to accept alternative protection. For purposes of this exception, adequate water supply shall mean that the water supply available at the site has sufficient flow capability at a residual pressure of 20 psi (138,000 N/m²) to meet the sprinkler system demand criteria.

602.5.2.2 In a building with rehabilitation work areas involving over fifty (50%) percent of the aggregate building area, automatic sprinkler systems shall be provided in accordance with requirements for new construction. This requirement shall apply to the highest floor containing a rehabilitation work area and all floors below. **F**

Exceptions:

- 1. In other than high-rise structures, where an adequate water supply for sprinkler protection is not available, the authority having jurisdiction shall be permitted to accept alternative protection. For purposes of this exception, adequate water supply shall mean that the water supply available at the site has sufficient flow capability at a residual pressure of 20 psi (138,000 N/m²) to meet the sprinkler system demand criteria.*
- 2. Residential occupancies less than four stories in height and with no more than six units between fire walls.*

602.5.3 Mixed uses: In buildings containing mixed uses, one or more of which requires automatic sprinkler protection in accordance with 602.5.1 or 602.5.2, automatic sprinklers will not be required throughout the building, provided that the occupancies requiring automatic sprinklers are separated from those not requiring automatic sprinklers by fire-resistive construction having a minimum 2-hour rating for high hazard content areas, and a minimum 1-hour rating for all other conditions. **F**

602.5.4 Supervision Automatic sprinkler systems required by 602.5 shall be supervised in accordance with NFPA 101 Life Safety Code for new construction and the fire alarm provisions of this code. **F**

Exception:

1. *Underground gate valve with roadway boxes.*
2. *Halogenated extinguishing systems.*
3. *Carbon dioxide extinguishing systems.*
4. *Dry and wet chemical extinguishing systems.*
5. *Limited area sprinkler systems.*
6. *Residential occupancies complying with NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies Up To and Including Four Stories in Height.*
7. *Where supervision is not required for existing occupancies in NFPA 101, Life Safety Code.*

602.5.5 Standpipes: In a building more than three (3) stories in height or over fifty (50) feet in height above grade and containing intermediate stories or balconies, with rehabilitation work areas involving over fifty (50%) percent of the aggregate building area, a standpipe system shall be provided with standpipes up to and including the highest rehabilitation work area floor. The standpipes shall be located and installed in accordance with NFPA 14, Standard for the Installation of Standpipe, Private Hydrant, and Hose Systems. The standpipe system shall be designed to accommodate expansion to the entire building. **F**

Exceptions:

1. *No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi (0.9 m³/min at 448,000 N/m²) to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi (1.9 m³/min at 448,000 N/m²) to the topmost floor in all other buildings. Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these flow/pressure requirements for possible future extension of the standpipe.*
2. *In other than high-rise buildings, the required interconnection of the standpipes for a wet system shall be permitted at the lowest level of the rehabilitation work area.*

602.5.6 Elevator recall: When sprinklers are installed in an elevator hoistway or elevator machine room as part of the rehabilitation work, the elevators shall comply with rule 211.3 of ASME/A17.1-1996, Safety Code for Elevators and Escalators. **O**

602.6 Fire alarm systems: In buildings covered by this chapter, fire alarm systems are required as follows: **F**

Assembly (A-2 through A-5)

- (a) A fire alarm system as prescribed in R.I.G.L. 23-28.25-4(a), as amended, shall be installed in all Class "C" places of assembly (50 to 300 persons).
- (b) A fire alarm system as prescribed in R.I.G.L. 23-28.25-4(b), as amended, shall be installed in all Class "A" and "B" places of assembly (Class A, 1001 or more persons; Class B, 301 to 1000 persons).
- (c) In addition to the locations prescribed in R.I.G.L. 23-28.25 as amended, a manual alarm station shall be installed on every stage and near any fixed lighting control panel and any projection booth.
- (d) A one hundred thirty-five degrees F (135°) to one hundred forty degrees F (140°) rate of rise or fixed temperature detector shall be installed above all stage areas and below all accessible stage areas and projection booths.

Hotels and Motels (R-1)

A fire alarm system as prescribed in R.I.G.L. 23-28.25-4(b), as amended, shall be installed in every hotel. In addition, a visual alarm signal shall be installed in guest rooms specifically designed for persons with disabilities. A rate of rise and one hundred thirty-five degree (135°) to one hundred forty degree (140°) fixed temperature thermodetector and a local single station AC smoke detector shall be installed in every sleeping room.

Exception: Buildings no more than two (2) stories high where each guest room has a direct exit to the outside of the building shall have a fire alarm system as prescribed in R.I.G.L. 23-28.25-4(a), as amended and a local single station AC smoke detector shall be installed in each sleeping room.

Boarding Homes (R-1)

- (a) A fire alarm system as prescribed in R.I.G.L. 23-28.25-4(b), as amended, shall be installed in every boarding house.

Exception: Buildings with accommodations for fewer than ten (10) persons shall have a fire alarm system as prescribed in R.I.G.L. 23-28.25-4(a), as amended.

(b) In addition, a local single station AC smoke detector shall be installed in each sleeping room with either system.

Rooming Houses (R-1)

(a) A fire alarm system as prescribed in R.I.G.L. 23-28.25-4(a), as amended, shall be installed in every rooming house.

(b) In addition, a local single station AC smoke detector shall be installed in every sleeping room.

Apartment House (R-2)

(a) Every apartment house shall have a fire alarm system installed as follows:

(1) Buildings containing more than three (3) and less than eight (8) living units shall have a local fire alarm system as described in R.I.G.L. 23-28.25-4(a), as amended.

(2) Buildings containing eight (8) or more living units shall have a fire alarm system as described in R.I.G.L. 23-28.25-4(b), as amended.

(3) Buildings classified as high-rise (more than seventy-five feet (75') in height) shall have a fire alarm system as described in R.I.G.L. 23-28.25-4(c), as amended.

(b) In addition, all living units shall have a smoke detection system as described in R.I.G.L. 23-28.34-2 - 23-28.34-4.

Industrial, Mercantile, Business, and Storage Building (F-1, F-2, M, B, S-1, S-2)

(a) A fire alarm system as described in R.I.G.L. 23-28.25-4(a), as amended, shall be installed in all industrial, mercantile, business, and storage buildings.

(b) A fire alarm system as described in R.I.G.L. 23-28.25-4(b), as amended, shall be installed in every industrial, mercantile, business, and storage building having a total floor area of more than ten thousand square feet (10,000 sq. ft.) per floor or extending three (3) stories or more above grade level.

Theaters (A-1)

(a) A fire alarm system as prescribed in R.I.G.L. 23-28.25-4(b), as amended, shall be installed in every theater.

(b) In addition to the location prescribed in R.I.G.L. 23-28.25-4(b), as amended, a manual station shall be installed on every stage and near any fixed lighting control panel and in every projection booth.

(c) Manual stations, with the approval of the authority having jurisdiction, may be omitted from exits and installed in such locations as the ticket booth or the refreshment stand.

(d) Alarm sounding devices and flashing lights shall be installed where required by the authority having jurisdiction. Voice communication evacuation systems are required and shall interrupt all audio systems.

602.6.1 Smoke alarms

602.6.1.1 In hotels and dormitories and apartment occupancies, individual guest rooms and individual dwelling units in any rehabilitation work area shall be provided with smoke alarms complying with the requirements for new construction. **F**

602.6.1.2 Where the reconstruction rehabilitation work area is in residential board and care occupancies and three-family dwellings, smoke alarms complying with the requirements for new construction shall be provided throughout the dwelling unit at each level and outside each sleeping area. **F**

Exceptions:

1. *Interconnection of smoke detectors shall not be required outside of the rehabilitation work area.*

2. *Battery-powered single station smoke detectors listed in accordance with UL 217, Standard for Safety for Single and Multiple Station Smoke Alarms, shall be permitted outside the rehabilitation work area.*

602.6.2 Local fire alarm systems

602.6.2.1 Where the rehabilitation work area on any floor exceeds fifty (50%) percent of that floor area and the rehabilitation work area is in a building that is required to have a local fire alarm system in accordance with section 602.6 of this code, a local fire alarm system shall be provided on the floor. Alarm-indicating appliances shall be provided on the floor and shall be automatically activated as required by R.I.G.L. 23-28.25-4(a) as amended. **F**

602.6.2.2 Where the rehabilitation work area involves over fifty (50%) percent of the aggregate building area and the rehabilitation work area is in a building that is required to have a local fire alarm system in accordance with other provisions of this Code, a local fire alarm system shall be provided throughout the building. **F**

602.6.3 Supervised fire alarm systems

602.6.3.1 Where the rehabilitation work area is in a building that is required to have a supervised fire alarm system in accordance with section 602.6 of this code a supervised fire alarm system shall be installed in the rehabilitation work area. **F**

602.6.3.2 Where the rehabilitation work area on any floor exceeds fifty (50%) percent of that floor area and the rehabilitation work area is in a building that is required to have a supervised fire alarm system in accordance with section 602.6 of this code, the supervised fire alarm system shall be installed throughout the floor. **F**

602.6.3.3 Where the rehabilitation work area involves over fifty (50%) percent of the aggregate building area and the building is required to have a supervised fire alarm system in accordance with section 602.6 of this code, a supervised fire alarm system shall be provided throughout the building. **F**

602.7 High-rise buildings: Any building or structure having one or more floors more than seventy-five (75') feet (23 m) above the lowest level accessible to a fire department vehicle shall comply with the high rise provisions of R.I.G.L. 23-28.25-4(c) as amended along with the requirements of this section. **F**

602.7.1 Re-circulating air or exhaust systems: When the rehabilitation work area is on a floor that is served by a re-circulating air or exhaust system serving more than one floor, the re-circulating air or exhaust system that serves the rehabilitation work area shall be equipped with approved smoke and heat detection devices installed in accordance with the mechanical code. The devices shall stop the fans automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. **BF**

602.7.2 Elevators: When the rehabilitation work area is one entire floor or when the rehabilitation work area is twenty (20%) percent or more of the occupied floor area of the building, the elevators in the building shall be equipped with the following emergency control devices: **BFO**

- (1) All automatic (non-designated attendant) elevators having a travel of 25 ft (7620 mm) or more above or below the designated level shall be equipped with Phase I Emergency Recall Operation as required by ASME/ANSI A17.1-1987, Safety Code for Elevators and Escalators, Rules 211.3a and 211.3b.
- (2) All floors shall be accessible by at least one elevator equipped with Phase II Emergency In-Car Operation, as required by ASME/ANSI A17.1-1987, Safety Code for Elevators and Escalators, Rule 2.113c.
- (3) All designated attendant elevators having a travel of 25 ft (7620 mm) or more above or below the designated level shall be equipped with emergency controls, as required by ASME/ANSI A17.1-1987, Safety Code for Elevators and Escalators, Rule 211.4.

(Elevator approvals by the Department of Labor and Training.) **BFO**

602.7.3 Smoke barriers: Where the rehabilitation work area on any floor exceeds fifty (50%) percent of that floor area and is on a floor that is above the main floor level in hotel and dormitory occupancies and apartment occupancies, smoke barriers shall conform to the requirements for existing occupancies in NFPA 101, Life Safety Code. **F**

602.8 Boiler/furnace equipment rooms

602.8.1 Boiler/furnace equipment rooms shall be enclosed by one-hour fire-rated construction when the rehabilitation work area is in a daycare occupancy or residential board and care occupancy. **BFO**

Exceptions:

1. Furnace and boiler equipment of low pressure type [operating at pressures of 15 psig (103,000 N/m²) or less for steam equipment, or 160 psig (1,100,000 N/m²) or less for hot water equipment] when installed in accordance with manufacturer recommendations or furnace and boiler equipment of residential type [200,000 Btu/hour (210 MJ/hour) input rating or less] is not required to be enclosed.
2. Furnace rooms protected with automatic sprinkler protection.
3. Boiler/furnace equipment rooms protected in accordance with the Boiler Code.

(Boilers over 200,000 BTU require approval by the Department of Labor and Training.)

602.8.2 Emergency controls shall be provided in all structures classified as a day-care occupancy or residential board and care occupancy in accordance with the following: **B**

- (1) Emergency shutoff switches for furnaces and boilers in basements shall be at the top of the stairs leading to the basement.
- (2) Emergency shutoff switches for furnaces and boilers in other enclosed rooms shall be located outside of the room.

602.9 Structural

602.9.1 General: Where buildings are undergoing reconstruction including structural alterations, the provisions of this section shall apply. **B**

602.9.2 Reduction of strength: Reconstruction shall not reduce the structural strength or stability of the building, structure or any individual member thereof. **B**

Exception: Such reduction shall be allowed provided that the structural strength and the stability of the building are not reduced to below the Building Code levels.

602.9.3 New structural members: New structural members in reconstructions including connections and anchorage, shall comply with the Building Code unless the authority having jurisdiction specifically allows replacement with like materials. **B**

602.9.4 Minimum design loads: The minimum design loads for the structure shall be the loads applicable at the time the building was constructed, provided that no overstressed condition is created. **B**

602.9.5 Structural alterations: Buildings and structures undergoing structural reconstruction shall comply with this section. **B**

602.9.5.1 Evaluation and analysis: An engineering evaluation and analysis which establishes the structural adequacy of the altered structure shall be prepared by a registered design professional and submitted to the code official where more than thirty (30%) percent, within a 12 month period, of the floor and roof areas of the building or structure have been or are proposed to be involved in structural alteration. The evaluation and analysis shall demonstrate that the building or the buildings' structural system once altered complies with the Building Code for wind loading. The areas to be counted towards the thirty (30%) percent shall be those areas tributary to the vertical load carrying components such as joists, beams, columns, walls and other structural components that have been or will be removed, added or altered, as well as areas such as mezzanines, penthouses, roof structures and infilled courts and shafts. **B**

Exceptions:

1. Buildings of Group R occupancy with no more than 5 dwelling units or guest rooms used solely for residential purposes altered based on the conventional light-frame construction methods of the Building Code.
2. Where such alterations involve only the lowest story of a building and change of occupancy provisions of Chapter 7 do not apply; only the lateral force resisting components in and below that story need comply with this section.

602.9.6 Additional vertical loads: Where gravity loading is increased on the roof or floor of a building or structure, all structural members affected by such increase in loading shall meet the gravity load requirements of the Building Code. **B**

Exceptions:

1. *Structural elements whose stress is not increased by more than five (5%) percent.*
2. *Buildings of Group R occupancy with no more than 5 dwelling units or guest rooms used solely for residential purposes altered based on the conventional light frame construction methods of the Building Code.*

602.9.7 Voluntary lateral force resisting system alterations: Alterations of existing structural elements that are initiated for the purpose of increasing the lateral force resisting strength or stiffness of an existing structure, and are not required by other sections of this code, shall not be required to be designed for forces conforming to the Building Code provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced;
2. The lateral loading to existing structural elements is not increased beyond their capacity;
3. New structural elements are detailed and connected to the existing structural elements as required by the Building Code;
4. New or relocated non-structural elements are detailed and connected to existing or new structural elements as required by the Building Code and
5. An imminent danger as defined in this code is not created.

Voluntary alterations to lateral force resisting systems conducted in accordance with the referenced standards of the Building Code shall be permitted. **B**

NOTE: Where the section is followed by the letter “B”, “F”, or “O”, the following meaning shall apply:

“B” This means that the Building Official or the Plumbing, Mechanical or Electrical Inspector shall review the plans, issue the permit, inspect the installation, and approve the final certificate.

“F” This means that the Fire Official shall review the plans for approval, the Fire Official and/or the Building Official inspects the installation, and the Fire Official observes the final test and approves the final installation. The Building Official shall issue the permits.

“O” This would indicate another State agency approval and inspection is needed. An explanation will indicate the agency and approvals needed.

Rhode Island Rehab Code
Chapter 7 Change of Use and Occupancy

701.0 General

701.1 Applicable requirements: Any repair, renovation, modification, or reconstruction work undertaken in connection with a change of character of use as outlined in Section 701.3.1 that does not involve a change of occupancy classification shall conform to the requirements of Chapters 3,4,5, and 6 respectively for the applicable occupancy classification. **BF**

701.2 Change of occupancy: The occupancy classification of an existing building or structure is defined as the classification of occupancies into groups in accordance with Section 302 of the Building Code as modified by Section 202.0 of this Code. The occupancy classification may be changed, provided the building or structure meets all the requirements of Chapter 6 applied throughout the building for the new occupancy classification, and the requirements of Chapter 7. **BF**

Exceptions:

- 1. Compliance with all the provisions of Chapter 6 is not required where the change of use complies with the requirements of 701.11 of this code.*
- 2. As modified in Chapter 904.0 for historical buildings.*

701.3 Special use and occupancy

701.3.1 Where the character of use of an existing building or part of an existing building is changed to one of the following special use or occupancy categories as defined in other sections of this Code, the building shall comply with all the applicable requirements of that chapter and the required provisions of NFPA 101, Life Safety Code, for new occupancies regardless of whether a change of occupancy classification is involved: **BF**

- (1) Covered mall buildings
- (2) Atriums
- (3) Private garages
- (4) Parking garages
- (5) Motion picture projection rooms
- (6) Stages and platforms
- (7) Special amusement buildings

701.3.2 An underground building, as defined in Section 405 of the Building Code, in which there is a change of occupancy shall comply with the requirements of Section 405 of the Building Code and the required provisions of NFPA 101, Life Safety Code for new construction applicable to underground structures. **BF**

701.3.3 Living and Work Quarters for Artists

701.3.3.1 Where the character of use of an existing building or part of an existing building is changed to artist-in-residence spaces the building or part of the building shall comply with the requirements of this Section. **B**

701.3.3.2 Not over thirty-three (33%) percent of an artist-in-residence space shall be used or arranged for residential purposes such as sleeping area, kitchen, bathroom and closet areas. The minimum area of an artist-in-residence space shall be 750 square feet. A separation between the working space and the residential portion shall not be required. **B**

701.3.3.3 An artist-in-residence space shall not be used for public sales purposes or for instructional classes. No hazardous activity such as, but not limited to, welding, open flame, or storage of flammable liquids shall occur in an artist-in-residence space without specific written approval from the authority having jurisdiction (Fire Official) that the hazardous activity meets the requirements of the Rhode Island Fire Prevention Code. **BF**

701.3.3.4 Number of exits: The occupant load of an artist-in-residence space shall be based on one occupant per 750 square feet. Two exits shall be required from each space. **BF**

701.3.3.5 Fire escapes: An existing or newly constructed fire escape complying with the requirements of section 7.2.8 of the NFPA 101 Life Safety Code for new construction, or as approved by the Fire Marshal and Building Commissioner, shall be accepted as providing one of the required means of egress. **FB**

701.3.3.6 Sleeping room emergency exit: The emergency egress from sleeping rooms as required by this code may be provided from appropriately sized windows in accordance with section 24.2.2.3 of NFPA 101 Life Safety Code for new construction in the artist-in-residence working space provided no locking mechanism prevents access to the emergency egress window. **F**

701.3.3.7 Smoke detectors: Permanently wired smoke detectors shall be installed as required by 602.6 of this code in the residential portion of artist-in-residence spaces. In the working space portion of the artist-in-residence space, one permanently wired smoke detector shall be installed on the ceiling. Where the working space is subdivided into separate rooms, one permanently wired smoke detector shall be installed on the ceiling of each such subdivided working room. Where the residential portions of an artist-in-residence space does not have at least one direct means of egress to an exit without passing through the artist-in-residence working space, the working space shall be provided with permanently wired smoke detectors installed in accordance with the manufacturers installation instructions, but at not over 30 feet on center on the ceiling. When more than one permanently wired smoke detector is required in an artist-in-residence space, all smoke detectors shall be interconnected so that activation of any smoke detector sounds all the smoke detectors within the space. **F**

701.3.3.8 Corridors: Existing exit access corridor walls shall consist of fire barriers in accordance with 31.3.6 of NFPA 101, Life Safety Code for existing construction that have not less than a 1/2-hour fire resistance rating. Newly constructed exit access corridor walls shall consist of fire barriers in accordance with 30.3.6 of NFPA 101, Life Safety Code for new construction. **F**

701.3.3.9 Shaft enclosures: Where artist-in-residence spaces are located on a floor, all existing interior vertical openings connecting two or more floors shall be enclosed in accordance with 602.3 of this Code, and shall be classified as Apartments (R-2) for purposes of its exceptions. **F**

701.3.3.10 Light and ventilation: Light and ventilation requirements for habitable spaces shall apply to the actual habitable space provided or, if not physically separated from the artist's working area, to thirty-three (33%) percent of the entire artist-in-residence space. Light for habitable rooms may be provided by means of required sized windows in the artist working space, provided that windows face the habitable rooms and any partitions separating the working space from the habitable rooms contain transparent material with an area fifty (50%) percent greater in area than the habitable room's window area required by this code. **B**

701.3.3.11 Toilet, shower and bath: Artist-in-residence spaces may share a code-required toilet, shower or bath space, provided each artist-in-residence space has direct access to the toilet, shower or bath from a public corridor. **B**

701.3.3.12 Electrical: In the habitable residential portion of an artist-in-residence space electrical equipment and wiring shall comply with the requirements for Group R-2 specified in 504.4 and 504.5 of this code. In an un-subdivided artist-in-residence space only five receptacle outlets shall be required. The habitable residential portion of an artist-in-residence space may be provided with a minimum 30ampere service. Electrical service, lighting and outlets for the workspace in an artist-in-residence space shall be as specified in the Electrical Code. **B**

701.3.3.13 Elevators: An elevator need not be provided when establishing an artist-in-residence space. **B**

701.4 Plumbing Requirements

701.4.1 Where the occupancy of an existing building or part of an existing building is changed such that the new occupancy is subject to increased or different plumbing fixture requirements in accordance with the Plumbing Code, or to increased water supply requirements in accordance with the Plumbing Code, the intent of the respective Plumbing Code provisions shall be complied with. **B**

701.4.2 If the new occupancy is a food handling establishment, all existing sanitary waste lines above the food or drink preparation, storage, display or serving areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines, as opposed to replacement lines, shall not be installed above such areas. **B**

701.4.3 If the new occupancy will produce grease or oil laden wastes, it shall be provided with interceptors as required in Sections 6.2 and 6.3 respectively of the Plumbing Code. **B**

701.4.4 If the new occupancy will produce chemical wastes, approval shall be obtained from the Department of Environmental Management and all other authorities with jurisdiction over chemical waste. **BO**

701.5 Mechanical requirements: Where the occupancy of an existing building or part of an existing building is changed such that the new occupancy is subject to different kitchen exhaust requirements or to increased mechanical ventilation requirements in accordance with Chapter 5 and Section 403 respectively of the Mechanical Code, the intent of the respective Mechanical Code provisions, as articulated in paragraph 101.3 of the Mechanical Code, shall be complied with. In addition, whenever hoods, ductwork, or exhaust fans for kitchen exhaust systems are installed or replaced, the installation shall be in accordance with the Mechanical Code enforced by the Building Official. Jurisdiction for the suppression system for commercial cooking will be enforced solely by the local Fire Official in compliance with NFPA 96 as referenced in the State Fire Code. **BF**

701.6 Electrical Requirements

701.6.1 Where the occupancy of an existing building or part of an existing building is changed to one of the following special occupancies as described in Chapter 5 of the Electrical Code, the electrical wiring and equipment of the building or portion thereof that contains the proposed occupancy shall comply with all applicable requirements of the Electrical Code. **B**

1. hazardous (classified) locations,
2. commercial garages, repair and storage,
3. aircraft hangars,
4. gasoline dispensing and service stations,
5. bulk storage plants,
6. spray application, dipping and coating processes,
7. places of assembly,
8. theaters, audience areas of motion picture and television studios and similar locations,
9. motion picture and television studios and similar locations,
10. motion picture projectors, and
11. agricultural buildings.

701.6.2 Where the occupancy of an existing building or part of an existing building is changed, all unsafe electrical conditions, as determined by the authority having jurisdiction, shall be corrected, without requiring that all parts of the electrical system be brought into compliance with the Electrical Code. **B**

701.6.3 Where the occupancy of an existing building or part of an existing building is changed to a residential occupancy, other than hotel and dormitory occupancies, or a residential board and care occupancy, electrical service shall be upgraded to meet the requirements of Article 220 of the National Electrical Code for the new occupancy. **B**

701.7 Part Change of Occupancy Classification

701.7.1 Where a portion of an existing building is changed to a new occupancy classification, and that portion is not separated from the remainder of the building with fire barrier walls or horizontal assemblies or both having a fire-resistance rating as required in Table 302.3.3 of the Building Code for the separate occupancy classifications or with approved compliance alternatives, the entire building shall comply with all the requirements of Chapter 6 applied throughout the building for the new occupancy classification, and with the requirements of this Chapter. **BF**

Exception: Compliance with all the provisions of Chapter 6 is not required when the change of occupancy complies with the requirements of Section 701.11.

701.7.2 Where a portion of an existing building is changed to a new occupancy classification, and that portion is separated from the remainder of the building with fire barrier walls or horizontal assemblies or both having a fire-resistance rating as required in Table 302.3.3 of the Building Code for the separate occupancy classifications, or with approved compliance alternatives, the portion changed shall comply with all the requirements of Chapter 6 for the new occupancy classification, and with the requirements of this Chapter. **B**

Exception: Compliance with all the provisions of Chapter 6 is not required when the change of occupancy complies with the requirements of Section 701.11.

701.8 Certificate of occupancy: Every change of occupancy to one classified in a different occupancy classification shall require a new certificate of occupancy in accordance with this Code regardless of whether any renovations, alterations, or reconstruction work are required by this code. **B**

701.9 Accessibility:

701.9.1 Where the occupancy of an existing building or part of an existing building is changed, and where renovation, alteration or reconstruction work is to be carried out, the requirements of Chapter 10 of this Code for the new occupancy shall be complied with. **B**

701.9.2 Where the occupancy of an existing building or part of an existing building is changed, and where no work is being performed, compliance with the Accessibility Code is not required. **B**

701.10 Hazard category classifications: The relative degree of hazard between different occupancy classifications shall be as set forth in the hazard category classifications, Tables A through C of Section 702. **BF**

701.10.1 An existing building or portion thereof may have its use changed to an occupancy classification within the same hazard classification category or to an occupancy classification in a lesser hazard classification category (higher number) in all three hazard category classifications designated in Tables A, B, and C of this chapter except the highest classification, provided it complies with the provisions of Chapter 6 for the new occupancy classification applied throughout the building, or portion thereof in accordance with section 701.7.2, and with sections 703.2 (Live Loads) and 703.3 (Vertical Loads on Roofs), and section 704.0 (Handrails and Guards). A fire alarm system shall be installed in accordance with section 602.6 of this Code. **BF**

Exception: Compliance with all the provisions of Chapter 6 is not required where the change of occupancy complies with the requirements of section 701.11.

701.10.2 An existing building shall comply with all the applicable requirements of NFPA 101, Life Safety Code for new construction, when a change in occupancy will place it in a higher hazard category. **BF**

701.10.3 An existing building may have its occupancy classification changed to a higher hazard rating (lower number) in all three hazard category classifications designated in Tables A, B, and C of this chapter provided it complies with this Chapter or with Section 3409 of the Building Code and section 701.10.2 of this Code. **BF**

701.11 Change of occupancy to an equal or lesser hazard: A change of use to an occupancy classification within the same hazard classification category or to an occupancy classification in a lesser hazard classification category (higher number) in the three hazard category classifications addressed by Tables A, B and C of this chapter shall be permitted in an existing building or portion thereof provided the provisions of this section are met. **BF**

701.11.1 Regardless of the occupancy classification involved, the following requirement shall be met: **BF**

1. The capacity of the means of egress shall comply with section 602.1.3 of this code.
2. The interior finish of walls and ceilings shall comply with the requirements of section 602.2.2 of this code.
3. The high-rise building requirements of NFPA 101, Life Safety Code for existing buildings shall apply throughout the building.
4. The boiler/furnace requirements of NFPA 101, Life Safety Code for existing buildings shall apply throughout the building.

5. The fire alarm provisions of section 602.6 of this Code for the new occupancy classification shall apply throughout the building.

701.11.2 Where the new use is classified as Group R-1, or R-2, the following requirement shall be met throughout the building:

Corridor doors shall comply with the requirements of Sections 602.1.4.2 through 602.1.4.5. **F**

701.11.3 No dwelling unit of a residential occupancy classified as Group R-1 or R-2 shall have its sole means of egress pass through any nonresidential occupancy in the same building. **F**

701.11.4 No multiple-dwelling unit of a residential occupancy classified as Group R-1 or R-2 shall be located above any nonresidential occupancy. **F**

Exceptions:

- 1. Where the dwelling unit of the residential occupancy and exits therefrom are separated from the nonresidential occupancy by construction having an approximate fire resistance rating of one (1) hour as approved by the authority having jurisdiction.*
- 2. Where the nonresidential occupancy is protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7 of NFPA 101, Life Safety Code for new construction.*

701.11.5 Where the new use is classified as an apartment building (Group R-2), the following requirements shall be met: **F**

1. The smoke alarm requirements of Section 602.6 shall be met.
2. Buildings containing more than three (3) and less than eight (8) living units shall have a local fire alarm system as described in section 23-28.25-4(a), as amended, of the Rhode Island Fire Safety Code installed throughout the entire building.
3. Buildings containing eight (8) or more living units shall have a fire alarm system as described in section 23-28.25-4(b), as amended, of the Rhode Island Fire Safety Code installed throughout the entire building.
4. Buildings classified as high-rise (more than seventy-five feet (75') in height) shall have a fire alarm system as described in section 23-28.25-4(c), as amended, of the Rhode Island Fire Safety Code installed throughout the entire building.

701.11.6 When a change of use or occupancy occurs throughout an entire building, a fire alarm system shall be installed throughout the building in accordance with section 602.6 of this Code. **F**

701.11.7 When a change of use or occupancy occurs in a portion of a building, if that portion is not separated from the remainder of the building with fire barrier walls or horizontal assemblies or both having a fire-resistance rating as required in Table 302.3.3 of the Building Code for the separate occupancy classifications, a fire alarm system shall be installed throughout the entire building in accordance with section 602.6 of this Code for the most hazardous occupancy classification. **F**

701.11.8 When a change of use or occupancy occurs in a portion of a building, and that portion is separated from the remainder of the building with fire barrier walls or horizontal assemblies or both having a fire-resistance rating as required in Table 302.3.3 of the Building Code for the separate occupancy classifications, a fire alarm system shall be installed in that portion of the building where the use or occupancy changed. The fire alarm system shall be installed in accordance with section 602.6 of this Code and the system shall be designed to accommodate expansion to the entire building. **F**

701.11.9 When a change of occupancy includes a commercial kitchen, existing grease ducts, exhaust equipment and kitchen hoods shall be brought into compliance with all the requirements in Sections 506 and 507 of the Mechanical Code and enforced by the Building Official. Jurisdiction for the suppression system for commercial cooking will be enforced solely by the local Fire Official in compliance with NFPA 96 as referenced in the State Fire Code. **BF**

702 Change of Occupancy

702.1 Means of Egress/General F

Table A
HAZARD CATEGORIES AND CLASSIFICATIONS:
LIFE SAFETY AND EXITS

Relative Hazard	Occupancy Classification
1 (highest hazard)	High hazard contents
2	Health care, detention and correctional, residential board and care
3	Assembly, educational, day care, ambulatory health care, residential, mercantile, business, industrial, storage

702.1.1 When a change of occupancy classification is made to a higher hazard category (lower number) as shown in Table A, egress capacity, arrangement of the means of egress, and all elements of the means of egress, including but not limited to the exit access, exit discharge, occupant load, corridors, doors, enclosures, stairs and ramps, guards and handrails, means of egress doorways, fire escapes and exit lighting and signs, shall comply with the applicable requirements of the NFPA 101, Life Safety Code for new construction for the new occupancy classification. **F**

Exception: Any stairway replacing an existing stairway within a space where, because of existing construction, the pitch or slope cannot be reduced, shall not be required to comply with the maximum riser height and minimum tread depth requirements of new stairs.

702.1.2 When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table A, existing elements of the means of egress shall comply with the requirements of Section 602.0 for the new occupancy classification. **F**

Exception: Any stairway replacing an existing stairway within a space where, because of existing construction, the pitch or slope cannot be reduced, shall not be required to comply with the maximum riser height and minimum tread depth requirements.

702.2 Enclosure of Vertical Shafts

702.2.1 General: Vertical shafts shall be designed to meet the NFPA 101, Life Safety Code for new construction requirements for atriums, or the requirements of this Section. **F**

702.2.2 Stairways: When a change of occupancy classification is made to a higher hazard category as shown in Table A, interior stairways shall be enclosed as required by NFPA 101, Life Safety Code for new construction. **F**

702.2.3 Shafts enclosing commercial kitchen exhaust ducts: When a change of occupancy classification is made to a higher hazard category as shown in Table A, shafts enclosing commercial kitchen exhaust ducts shall be enclosed as required by NFPA 101, Life Safety Code for new construction. **F**

702.2.4 Other vertical shafts: Interior vertical shafts other than stairways and those enclosing commercial kitchen exhaust ducts, including but not limited to elevator hoistways and service and utility shafts, shall be enclosed as required by NFPA 101, Life Safety Code for new construction when there is a change of occupancy classification to a higher hazard category in Table A. When the change of occupancy is to an equal or lesser hazard category, all newly constructed vertical openings, not addressed in section 702.2, shall comply with the provisions of section 602.3.1 of this code. When the change of occupancy is to an equal or lesser hazard category, all existing vertical openings, not addressed in section 702.2 shall comply with section 602.3.2 of this code. **BF**

Exceptions:

1. Existing one-hour interior shaft enclosures shall be accepted where a higher rating is required.
2. Vertical openings, other than stairways, need not be enclosed if the entire building is provided with an approved automatic sprinkler system.
3. Where one-hour fire-resistive floor construction is required, vertical shafts need not be enclosed where floor penetrations are fire stopped at every floor level.

702.2.5 Openings: All openings into existing vertical shaft enclosures shall be protected by fire assemblies having a fire-protection rating of not less than one hour and shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices shall be permitted in all shafts except stairways if the fusible link rating does not exceed 135°F. (75°C.). **F**

702.3 Automatic sprinkler systems: Any change of occupancy, reconstruction and/or addition shall comply with the following automatic sprinkler system requirements. Section 602.5 shall be used to determine the extent of sprinkler protection required using the area that has changed occupancy as the rehabilitation work area. **F**

High-rise buildings: All high-rise buildings shall be protected by an automatic sprinkler system in accordance with 11.8.2.1 of NFPA 101, Life Safety Code for new construction. **F**

Assembly (A1 through A-5): Any assembly occupancy required by Table 12.1.6 of NFPA 101 Life Safety Code for new construction, or buildings containing assembly occupancies with occupant loads of more than 300, shall be protected by an approved, supervised automatic sprinkler system in accordance with Section 9.7 of NFPA 101, Life Safety Code for new construction as follows: **F**

- (1) Throughout the story containing the assembly occupancy
- (2) Throughout all stories below the story containing the assembly occupancy
- (3) In the case of an assembly occupancy located below the level of exit discharge, throughout all stories intervening between that story and the level of exit discharge, including the level of exit discharge

Exceptions:

1. This requirement shall not apply to assembly occupancies used primarily for worship with fixed seating and not part of a mixed occupancy. (See 6.1.14 of NFPA 101, Life Safety Code for new construction.)
2. This requirement shall not apply to assembly occupancies consisting of a single multipurpose room of less than 12,000 ft² (1100 m²) that are not used for exhibition or display and are not part of a mixed occupancy.
3. This requirement shall not apply to gymnasiums, skating rinks, and swimming pools used exclusively for participant sports with no audience facilities for more than 300 persons.
4. In stadia and arenas, sprinklers shall be permitted to be omitted over the floor area used for contest, performance, or entertainment; over the seating areas; and over open-air concourses where an approved engineering analysis substantiates the ineffectiveness of the sprinkler protection due to building height and combustible loading.
5. In unenclosed stadia and arenas, sprinklers shall be permitted to be omitted in the following areas:
 - (a) Press boxes less than 1000 ft² (93 m²)
 - (b) Storage facilities less than 1000 ft² (93 m²) if enclosed with not less than 1-hour fire resistance-rated construction
 - (c) Enclosed areas underneath grandstands that comply with 12.4.8.5 of NFPA 101, Life Safety Code for new construction.

Lodging or rooming houses (R-1): Lodging or rooming houses shall be protected throughout by an approved automatic sprinkler system in accordance with 26.3.5.1 of NFPA 101, Life Safety Code for new construction. **F**

Exception: Where every sleeping room has a door opening directly to the outside of the building at street or ground level, or has a door opening directly to the outside leading to an exterior stairway that meets the requirements of 26.2.1.1 of NFPA 101, Life Safety Code for new construction.

Hotels and dormitories (R-1): All buildings shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 28.3.5.1 through 28.3.5.4 of NFPA 101, Life Safety Code for new construction. **F**

Exception: Buildings other than high-rise buildings, where all guest sleeping rooms have a door that opens directly to the outside at street or ground level, or to exterior exit access arranged in accordance with 7.5.3 of NFPA 101, Life Safety Code for new construction.

Apartment buildings (R-2): All buildings, with sleeping accommodations above the third floor and/or having more than six units between fire walls, shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 30.3.5.1 through 30.3.5.5 of NFPA 101, Life Safety Code for new construction, except in buildings where every dwelling unit is provided with the following: **F**

(a) An exit door opening directly to the street or yard at ground level.

Mercantile (M): Mercantile occupancies shall be protected by an approved automatic sprinkler system in accordance with Section 9.7 of NFPA 101, Life Safety Code for new construction as follows: **F**

- (1) Throughout all mercantile occupancies three or more stories in height
- (2) Throughout all mercantile occupancies exceeding 12,000 ft² (1115 m²) in gross area
- (3) Throughout stories below the level of exit discharge where such stories have an area exceeding 2500 ft² (230 m²) used for the sale, storage, or handling of combustible goods and merchandise
- (4) Throughout mixed occupancies in accordance with 6.1.14 of NFPA 101, Life Safety Code for new construction where the conditions of 36.3.5.1(1), (2), or (3) of NFPA 101, Life Safety Code for new construction apply to the mercantile occupancy

Automatic sprinkler systems in Class A mercantile occupancies shall be supervised in accordance with 9.7.2 of NFPA 101, Life Safety Code for new construction.

Exception: In other than high-rise structures, where an adequate water supply for sprinkler protection is not available, the authority having jurisdiction shall be permitted to accept alternative protection. For purposes of this exception, adequate water supply shall mean that the water supply available at the site has sufficient flow capability at a residual pressure of 20 psi to meet the sprinkler system demand criteria.

702.4 Heights and Areas

Table B
HAZARD CATEGORIES AND CLASSIFICATIONS:
HEIGHTS AND AREAS

Relative Hazard	Occupancy Classification
1 (highest hazard)	High hazard contents
2	Assembly, day care, health care, ambulatory health care, detention and correctional, large residential board and care
3	Educational, residential, small residential board and care, mercantile, business, industrial, storage

702.4.1 Where a change of occupancy classification is made to a higher hazard category as shown in Table B, heights and areas of buildings and structures shall meet the limitations of Chapter 5 of the Building Code for the new occupancy classification. **B**

702.4.2 When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table B, the height and area of the existing building shall be deemed to be acceptable. **B**

702.4.3 Fire separation: When a change of occupancy classification is made to a higher hazard category as shown in Table B, fire barrier walls or horizontal assemblies or both in mixed use buildings shall comply with the requirements for mixed occupancies in Section 302.3 of the Building Code. **BF**

Exception: Where the fire barrier walls are required to have a one-hour fire-resistance rating, existing wood lath and plaster in good condition or existing stud wall clad in 1/2-inch-thick (12.7 mm) gypsum wallboard or other equivalent assemblies shall be permitted.

702.5 Exterior Wall Fire-Resistance Ratings

Table C
HAZARD CATEGORIES AND CLASSIFICATIONS:
EXPOSURE OF EXTERIOR WALLS

Relative Hazard	Occupancy Classification
1 (highest hazard)	Occupancies containing exempt amounts greater than permitted by section 417.0 of the Building Code
2	Mercantile, industrial and storage occupancies with ordinary hazard contents
3	Assembly, educational, day care, health care, ambulatory health care, detention and correctional, residential, residential board and care, and business

702.5.1 Where a change of occupancy classification is made to a higher hazard category as shown in Table C, exterior walls shall have fire-resistance and exterior opening protectives as required in Chapter 7 of the Building Code. This provision shall not apply to walls at right angles to the property line. **BF**

Exception: Where a fire-resistance rating greater than two hours is required for a building of any type of construction, existing noncombustible exterior walls having a fire resistance rating equivalent to two hours as determined by HUD Guideline on Fire Ratings of Archaic Materials and Assemblies or other approved sources shall be accepted, provided the building does not exceed three stories in height and is classified as one of the following Groups: A-3 with an occupant load of less than 300, B, F, M, or S.

702.5.2 When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table C, existing exterior walls, including openings, shall be accepted. **F**

702.5.3 Opening protectives: Openings in exterior walls shall be protected as required by the Building Code. When openings in the exterior walls are required to be protected due to distance from the property line, the sum of the area of such openings shall not exceed fifty (50%) percent of the total area of the wall in each story. **BF**

Exceptions:

1. *Where the Building Code permits openings in excess of fifty (50%) percent.*
2. *Existing openings shall not be required to be protected in buildings of Group R which do not exceed three stories in height and which have a fire separation distance of at least 3 feet (914mm).*
3. *Where exterior opening protectives are required, an automatic sprinkler system throughout may be substituted for opening protection.*
4. *Exterior opening protectives are not required when the change of occupancy is to an equal or lower hazard classification in accordance with Table C.*

703.0 Structural Requirements

703.1 Structural safety: In addition to the requirements of Sections 701 and 702, a change in occupancy classification shall comply with the requirements of this section. **B**

703.2 Live loads: Any existing structure in which the proposed new occupancy requires floor live loads equal to or less than required for the existing occupancy is permitted to be continued in use for the originally approved live loads, provided that the structure is not dangerous and is adequate for the proposed occupancy. If the approved floor live load is less than required by Section 1607 of the Building Code, the areas designed for the reduced live load shall be posted with the approved load or shall be structurally strengthened to support the new load. Placards shall be of an approved design. **B**

Exception: Analysis and test methods for evaluation of existing materials shall be permitted to use the methods specified in the code under which the building was constructed, the current Building Code, or other standards as approved by the authority having jurisdiction [building official].

703.3 Vertical loads on roofs: Buildings and structures shall comply with the roof load requirements of Section 1607.11 of the Building Code for roof live load. **B**

Exception: Existing roofs shall be permitted to be retained provided any unsafe or overloaded conditions are corrected and where the roof dead load is not increased by use, re-roofing or added equipment.

703.4 Wind and snow loads: Where a change of occupancy results in an existing building being assigned a higher wind load or snow load importance factor in accordance with Table 1604.5 of the Building Code, the building shall be strengthened to meet the wind load or snow load requirements of Sections 1609 and 1608, respectively, of the Building Code. **B**

704.0 Handrails and Guards

704.1 Handrails: Existing handrails shall comply with the handrail requirements in Section 602.0. **F**

704.2 Guardrails: Existing guardrails shall comply with the guardrail requirements in Section 602.0. **F**

705.0 Health and Hygiene

705.1 Light and ventilation: Lighting and ventilation shall comply with the requirements of Sections 1204 and 1202 respectively of the Building Code for the new occupancy classification to the extent deemed practical by the authority having jurisdiction. **B**

706.0 Energy Conservation

706.1 A change of use that would require an increase in space conditioning energy use in an existing building or structure that was constructed under an Energy Code shall not be permitted unless such building or structure is made to comply with the thermal envelope requirements of the Energy Code under which it was constructed for the new Use Group. **B**

NOTE: Where the section is followed by the letter “B”, “F”, or “O”, the following meaning shall apply:

“B” This means that the Building Official or the Plumbing, Mechanical or Electrical Inspector shall review the plans, issue the permit, inspect the installation, and approve the final certificate.

“F” This means that the Fire Official shall review the plans for approval, the Fire Official and/or the Building Official inspects the installation, and the Fire Official observes the final test and approves the final installation. The Building Official shall issue the permits.

“O” This would indicate another State agency approval and inspection is needed. An explanation will indicate the agency and approvals needed.

Rhode Island Rehab Code
Chapter 8. Additions

801.0 General Requirements

801.1 An addition to a building or structure is defined as an increase in building area, aggregate floor area, height or number of stories of a structure. All additions shall comply with other sections of this Code, Mechanical Code, Plumbing Code, Fire Code, Electrical Code, Boiler Safety Code, Energy Code, Elevator Code, and Accessibility Code, without requiring the existing building or structure to comply with any requirements of those codes or of this Code. **BF**

801.2 An addition shall not create or extend any non-conformity in the existing building to which the addition is constructed with regard to accessibility, structural strength, fire safety, means of egress, or the capacity of mechanical, plumbing or electrical systems. **BF**

801.3 Any repair, renovation, alteration or reconstruction work within an existing building to which an addition is being made shall comply with the requirements of Chapters 3,4,5 and 6 respectively of this Code. **BF**

802.0 Heights and Areas

802.1 No addition shall increase the height or area of an existing building beyond that permitted under the applicable provisions of Chapter 5 of the Building Code for new buildings unless fire separation as required in the Building Code is provided. **B**

Exception: Infilling of floor openings, non-occupiable appendages such as elevator and exit stair shafts, and the addition of mezzanines and equipment penthouses shall be permitted beyond that permitted by the Building Code.

803.0 Fire Protection Systems

803.1 Existing compartment areas increased by the addition shall be protected with an approved automatic sprinkler system. **F**

803.1.1 All additions shall meet the automatic sprinkler system requirements of NFPA 101, Life Safety Code for new construction. **F**

803.1.2 All additions shall have the required fire alarm system installed. Use section 602.6 of this Code to identify the required fire alarm system for the various occupancy classifications. **F**

803.1.3 Whenever an addition constitutes an increase in area that is equal to the square footage of the original building, the fire alarm system for the addition shall be extended throughout the existing building, unless the addition is separated from the remainder of the building with fire barrier walls or horizontal assemblies or both having a minimum fire-resistance rating of one hour. **F**

804.0 Structural

804.1 Compliance with the Building Code: Additions to existing buildings or structures are new construction and shall comply with the Building Code. **B**

804.2 Additional gravity loads: Existing structural elements supporting any additional gravity loads as a result of additions shall comply with the Building Code. **B**

Exceptions:

- 1. Structural elements whose stress is not increased by more than five (5%) percent.*
- 2. Buildings of Group R occupancy with no more than 5 dwelling units or guest rooms used solely for residential purposes where the existing building and the addition comply with the conventional light-frame construction methods of the Building Code.*

804.3 Lateral force resisting system: The lateral force resisting system of existing buildings to which additions are made shall comply with sections 804.3.1, 804.3.2 and 804.3.3 of this Code. **B**

Exceptions:

1. *In Type V construction, Group R occupancies where the lateral force story shear in any story is not increased by more than ten (10%) percent.*
2. *Buildings of Group R occupancy with no more than 5 dwelling units or guestrooms used solely for residential purposes where the existing building and the addition comply with the conventional light-frame construction methods of the Building Code.*
3. *Additions where the lateral force story shear in any story is not increased by more than five (5%) percent.*

804.3.1 Vertical addition: Any element of the lateral force resisting system of an existing building subjected to an increase in vertical or lateral loads from the vertical addition shall comply with the lateral load provisions of the Building Code. **B**

804.3.2 Horizontal addition: Where horizontal additions are structurally connected to an existing structure, all lateral force resisting elements of the existing structure affected by such addition shall comply with the lateral load provisions of the Building Code. Lateral loads imposed on the elements of the existing structure and the addition shall be determined by a relative stiffness analysis of the combined structure including torsional effects. **B**

804.3.3 Voluntary addition of structural elements to improve lateral force resisting system: Voluntary addition of structural elements to improve the lateral force resisting system of a building shall comply with section 602.9.6. **B**

804.4 Snow drift loads: Any structural element of an existing building subjected to additional loads from the effects of snow drift as a result of an addition shall comply with the Building Code. **B**

Exceptions:

1. *Structural elements whose stress is not increased by more than five (5%) percent.*
2. *Buildings of Group R occupancy with no more than 5 dwelling units or guest rooms used solely for residential purposes where the existing building and the addition comply with the conventional light-frame construction methods of the Building Code.*

804.5 Flood hazard areas: In flood hazard areas:

1. For horizontal additions that are structurally interconnected to the existing building:
 - 1.1 If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with the flood hazard provisions of the Building Code.
 - 1.2 If the addition constitutes substantial improvement, the existing building and the addition shall comply with the flood hazard provisions of the Building Code. **B**
2. For horizontal additions that are not structurally interconnected to the existing building:
 - 2.1 The addition shall comply with the flood hazard provisions of the Building Code.
 - 2.2 If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with the flood hazard provisions of the Building Code. **B**
3. For vertical additions and all other proposed work, when combined, that constitute substantial improvement, the existing building shall comply with the flood hazard provisions of the Building Code. **B**
4. For a new, replacement, raised or extended foundation, if the foundation work and all other proposed work, when combined, constitute substantial improvement, the existing building shall comply with the flood hazard provisions of the Building Code. **B**

805.0 Accessibility

805.1 Accessibility requirements: Additions shall comply with Chapter 10 of this code. **B**

806.0 Energy Conservation

806.1 Additions to existing buildings or structures may be made to such buildings or structures without making the entire building or structure comply with the requirements of the Energy Code. The addition shall conform to the requirements of the Energy Code as they relate to new construction only, provided that the allowable amount of glass in the addition shall be based on the area of the entire building. **B**

807.0 Plumbing

807.1 In areas where public sanitary sewers are not available, existing structures that are being enlarged and discharge liquid wastes containing grease, flammable wastes, sand, solids, and other ingredients harmful to the building drainage system, shall comply with Rhode Island Department of Environmental Management (DEM) regulations. **B**

NOTE: Where the section is followed by the letter “B”, “F”, or “O”, the following meaning shall apply:

“B” This means that the Building Official or the Plumbing, Mechanical or Electrical Inspector shall review the plans, issue the permit, inspect the installation, and approve the final certificate.

“F” This means that the Fire Official shall review the plans for approval, the Fire Official and/or the Building Official inspects the installation, and the Fire Official observes the final test and approves the final installation. The Building Official shall issue the permits.

“O” This would indicate another State agency approval and inspection is needed. An explanation will indicate the agency and approvals needed.

Rhode Island Rehab Code
Chapter 9. Historical Buildings

901.0 General

901.1 Historical buildings shall comply with the provisions of this Chapter, or with the provisions of Chapters 3, 4, 5, 6 and 7, relating to their repair, renovation, alteration, reconstruction, movement and change of occupancy. Where the owner of a historical building wishes to use an alternative to comply with the intent of specific provisions of this code, a written request shall be submitted to the authority having jurisdiction in accordance with 901.2. **BO**

901.1.1 Definition: Historical building (BFO) Any building or structure that :

- a. is listed in the Rhode Island Register or National Register of Historical Places either individually or as a contributing building to a historical district; or
- b. has been issued a Determination of Eligibility by the Keeper of the National Register of Historical Places; or
- c. has been-designated by a city or town ordinance pursuant to RIGL 45-24.1 and has been certified by the Executive Director of the RIHPHC as contributing to the heritage of the community; or
- d. the State Historic Preservation Officer (hereinafter the SHPO), pursuant to the request of the owner, has determined as eligible to be listed on the National Register of Historical Places either individually or as a contributing building to a historical district.

901.1.2 Owner's responsibility: In order to utilize the provisions of this Chapter, the building owner, or authorized representative, shall contact the Rhode Island Historical Preservation and Heritage Commission (hereinafter the RIHPHC) for written verification that the subject building qualifies as an Historical Building as defined in section 901.1.1. The building owner shall further equip the subject building with an approved fire alarm system installed in accordance with the provisions of R.I.G.L. Chapter 23-28.25 as amended. **BFO**

901.1.3 Modifications to historical buildings: This chapter shall only apply to the historically significant spaces, features, or fabric of the building as certified by the Executive Director of the RIHPHC. In order to utilize the provisions of this Chapter, the building owner shall maintain the historical interior of the subject building unless such proposed modifications are determined to be incidental by the Executive Director. The Executive Director shall so advise the building and fire officials, in writing, prior to the commencement of the plan review. **BFO**

901.1.4 Appeals: A building owner, utilizing the provisions of this chapter, shall notify Executive Director of the RIHPHC upon the filing of an appeal of any of the provisions of this chapter with the Joint Committee on the Rehabilitation Building and Fire Code for Existing Buildings and Structures. **BF**

901.2 Alternatives: Where the owner of a historical building wishes to use an alternative to comply with the intent of the specific provisions of this Code, a written request shall be submitted to the authority having jurisdiction. Such request shall identify all non-conformities with the requirements of this Code and shall include: a statement of the requirements of this Code from which an alternative is sought, a statement of the manner in which strict compliance with the provisions of this Code would result in practical difficulties or would detract from the historical character of the building and a statement of feasible alternatives to the requirements of this Code that would adequately protect the health, safety, and welfare of the intended occupants and of the public generally. If in the opinion of the local building or fire official insufficient information has been provided in the request, the officials shall have the authority to require the submission of additional information, including an evaluation prepared by a registered architect, licensed engineer, or fire protection engineer for the appropriate subject matter. A copy of the request shall be submitted to the Executive Director of the RIHPHC including any additional information required by the authority having jurisdiction. In acting on the request, the authority having jurisdiction shall consider comments, if any, from the RIHPHC. **BFO**

901.3 Accessibility requirements: The accessibility requirements contained in Chapter 10 of this code shall apply to historical buildings undergoing renovations, alterations, reconstruction or a change of occupancy. If the historical features or historical character of the building is adversely affected, and the building is required to comply with ADAAG by the provisions of Chapter 10 of this Code, then substantially equivalent alternative provisions of accessibility shall be permitted, in accordance with Chapter 10. **B**

901.4 Museums: When a historical building is used as a museum, the building shall be classified as use Group B (Business) provided that the building complies with the following conditions:

1. A limit on occupancy, not to exceed 50, is set by the authority having jurisdiction based on egress capacity and travel distance using the following parameters: **F**
 - a. For buildings with a single means of egress, occupancy shall be limited to the first and second floors, and the travel distance shall not exceed 75 feet. **F**
 - b. Two means of egress shall be required from all floors above the second floor where occupancy is permitted. **F**
2. There is supervision by a guide or other employee or volunteer knowledgeable in the emergency exiting procedures during all times that the building is occupied by visitors. **F**

901.5 Flood hazard areas: For historical buildings or structures located in whole or in part in flood hazard areas, work on the building or structure shall be permitted, provided all of the following are met:

1. If a historical building will continue to be listed or eligible for listing as a historical building, then work proposed to be undertaken is not considered to be a substantial improvement. **B**
2. If all work proposed constitutes substantial improvement, including repairs, work required due to a change of occupancy, and alterations, then the existing building shall comply with the flood hazard provisions of the Building Code. **B**
3. The proposed work is the minimum necessary to comply with life and safety requirements of this code. **B**
4. A variance to the flood provisions of this code is granted by the Board of Appeals. **B**

902.0 Repairs

902.1 Repairs to any portion of a historical building or structure shall be permitted to be made with original or like materials and original methods of construction, subject to the provisions of this Chapter. **B**

903.0 Relocated Buildings

903.1 Construction: Any repair, renovation, alteration, reconstruction, movement and change of use of relocated historical structures shall comply with the requirements of this Chapter. **B**

903.2 Foundations: Foundations of relocated historical buildings shall comply with Chapter 18 of the Building Code. Relocated historical buildings shall otherwise be considered as historical buildings for the purposes of this Code. **B**

903.3 Relocated historical buildings and structures shall be so sited that fire separation distance and opening protectives comply with the requirements of paragraphs 704.5 and 704.8 of the Building Code. **B**

904.0 Repair, Renovation, Alteration or Reconstruction

904.1 General: Historical buildings undergoing repair, renovation, alteration or reconstruction shall comply with all of the applicable requirements of Chapters 3, 4, 5 and 6 of this code except as specifically permitted in this Chapter. **BF**

904.2 Replacement: Replacement of existing or missing features using original or like materials shall be permitted. Partial replacement for repairs that match the original in configuration, height and size shall be permitted. Such replacements shall not be required to meet the materials and methods requirements in Section 401.2 of this code. **B**

Exception: Replacement glazing in hazardous locations shall comply with Section 302.1.4 of this Code.

904.3 Roof Covering: The existing type of roof covering shall be permitted to be continued and replaced with the same materials if the historical materials are documented to the satisfaction of the local jurisdiction. **B**

904.4 Means of egress: In buildings protected throughout by a fire alarm system installed in accordance with section 602.6 of this Code, existing door openings, window openings intended for emergency egress and corridor and stairway widths of less than those that would be acceptable for non-historical buildings under this code shall be approved, provided that in the opinion of the local jurisdiction there is sufficient width and height for a person to pass through the opening or traverse the exit and that the capacity of the exit system is adequate for the occupant load or where other operational controls to limit occupancy are approved by the authority having jurisdiction. **F**

904.4.1 Paneled doors: Existing paneled doors in corridor walls required to have a fire rating of one hour will be allowed to remain if fitted with smoke seals provided that the egress system of the entire building is equipped with an approved sprinkler system, with a head located on each side of the door. If the above sprinkler system is not otherwise required, it may be domestically supplied provided that it is properly engineered to the satisfaction of the authority having jurisdiction. Alternative methods of establishing an approximate fire rating of twenty (20) minutes for the above doors may be approved by the authority having jurisdiction in accordance with certifications provided by nationally recognized testing facilities. **F**

904.4.2 Transoms: In all buildings of Group R-2, all transoms in corridor walls in rehabilitation work areas shall be either glazed with ¼ - inch wired glass set in metal frames or other glazing assemblies having a fire protection rating as required for the door and permanently secured in the closed position or sealed with materials consistent with the corridor construction. **F**

Exception: In buildings of Group R-2, where the egress system is fully sprinklered, existing transoms in corridors and other fire rated walls may be maintained if fixed in the closed position. A sprinkler head shall be installed on each side of the transom. If the above sprinkler system is not otherwise required, it may be domestically supplied provided that it is properly engineered to the satisfaction of the authority having jurisdiction.

904.4.3 Dead end corridors: In other than use group A, existing dead end corridors in any rehabilitation work area shall not exceed 35 feet. Newly constructed dead end corridors shall comply with NFPA 101, Life Safety Code, for new buildings. **F**

Exceptions:

- 1. Where existing dead-end corridors of greater length are permitted by NFPA 101, Life Safety Code, for existing buildings.*
- 2. In other than Group A, the maximum length of an existing dead end corridor shall be 50 feet in buildings equipped throughout with an automatic sprinkler system installed in accordance with Fire Safety Code.*

904.5 Door swing: Existing front or main entry doors need not swing in the direction of exit travel when serving fewer than 50 persons, or if official having jurisdiction determines that other approved exits have sufficient capacity to serve the total occupant load. **F**

904.6 Interior finishes: The existing finishes of walls and ceilings shall be accepted where it is demonstrated that it is the historical finish. **F**

Exception: Finishes in exitways shall have a flame-spread classification of Class C or better in accordance with NFPA 101, Life Safety Code for new construction. Existing nonconforming materials shall be surfaced with an approved fire-retardant paint or finish unless the building is equipped throughout with an automatic fire sprinkler system installed in accordance with NFPA 13, Standard for Installation of Sprinkler Systems.

904.7: Stairway Enclosure

904.7.1 Stairway enclosures may be omitted in a historical building where such stairway serves only one adjacent floor. **F**

904.7.2 In buildings of three stories or less, exit enclosure construction shall limit the spread of smoke by the use of tight fitting doors and solid elements. Such elements need not have a fire rating. **F**

904.7.3 Riser height and tread width: When stairs are replaced or repaired, the existing or original riser height and tread width shall be permitted to remain. **F**

904.7.4 Approved sprinkler systems or other solutions may be considered in lieu of enclosure of a stairway. **F**

904.8 One-hour fire-resistive assemblies: Where one-hour fire-resistive construction is required by this code in buildings protected throughout by a fire alarm system installed in accordance with section 602.6 of this Code, one-hour construction need not be provided regardless of construction or occupancy where the existing wall and ceiling finish is wood lathe and plaster that is in good condition and egress system doors maintain an approximate fire rating of at least twenty (20) minutes or are otherwise protected as outlined in section 904.4.1 above. **F**

904.8.1 Stairway railing: Historically significant stairways shall be accepted without complying with the handrail and guardrail requirements. Existing handrails and guards shall be permitted to remain provided they are not structurally dangerous. Stairway railings may be reconstructed with handrails matching the original handrails. **F**

904.8.2 Guardrails: Guardrails of at least 30 inches in height shall be accepted and the existing or original baluster spacing permitted to remain where the vertical drop does not exceed 48 inches. Historically significant guardrails of lesser dimension, deemed not to be hazardous by the authority having jurisdiction, shall also be allowed to remain. **F**

904.8.3 One-hour fire-resistive construction may be omitted when existing building is fully sprinklered. **F**

904.8.4 Occupancy separations of more than one hour may be reduced to one-hour fire-resistive construction with all openings protected by not less than $\frac{3}{4}$ hour fire-resistive assemblies of the self-closing or automatic-closing type when building is fully sprinklered. **F**

904.8.5 Winders: Existing winders that are in good structural repair will be permitted to remain in R-2 occupancies, or in buildings with an occupant load less than 50, or if there is a second approved means of egress, or if the building is protected throughout with an approved fire alarm system. **F**

904.9 Exit signs: The local jurisdiction shall accept alternate exit sign or egress path marking location where such signs or markings would have an adverse effect upon the historical character. Alternative signs shall identify the exits and egress path. **F**

904.10 Sprinkler alternative: After review of the report specified in 901.2 of this Code, every historical building which does not conform to the construction requirements specified in other chapters of this Code for the occupancy or use and which, due to conditions not addressed in this Chapter in the opinion of the local fire official constitutes a fire safety hazard, shall be equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13, Standard for Installation of Sprinkler Systems. However, such automatic sprinkler system shall not be used to substitute for, or act as an alternate to, the required number of exits from any facility. **F**

905.0 Change of Occupancy

905.1 General: Historical buildings undergoing a change of occupancy shall comply with the applicable provisions of Chapter 7 except as specifically permitted in this Chapter. Where Chapter 7 requires compliance with specific requirements of Chapter 6, and where those requirements are subject to exceptions in Section 904.0, the same exceptions shall apply in this section. **BF**

905.2 Building area: The allowable floor area for historical buildings undergoing a change of occupancy shall be permitted to exceed the allowable areas specified in Chapter 7 by fifty (50%) percent. **B**

905.3 Location on property: Historical structures undergoing a change of use to a higher hazard category in accordance with Section 702.4.1 of this code may use alternative methods to comply with the fire-resistance and exterior opening protective requirements. Such alternatives shall comply with Section 901.2. **B**

905.4 Roof covering: Regardless of occupancy or use group, roof-covering materials not less than Class C shall be permitted where a fire-retardant roof covering is required. **B**

905.5 Means of egress: In buildings protected throughout by a fire alarm system installed in accordance with section 602.6 of this Code or an automatic suppression system in accordance with NFPA 13 or NFPA 13R, existing door openings, window openings intended for emergency egress and corridor and stairway widths of less than those that would be acceptable for non-historical buildings under this code shall be approved, provided that in the opinion of the local jurisdiction there is sufficient width and height for a person to pass through the opening or traverse the exit and that the capacity of the exit system is adequate for the occupant load, or where other operational controls to limit occupancy are approved by the local jurisdiction. **F**

905.6 Door swing: When approved by the local jurisdiction, or when the occupant load is less than 50, the existing front or main entry doors need not swing in the direction of exit travel, provided other approved exits having sufficient capacity to serve the total occupant load are provided. **F**

905.7 Transoms: In corridor walls required to be fire rated by this code, existing transoms may be maintained if fixed in the closed position and fixed wired glass set in a steel frame or other approved glazing shall be installed on one side of the transom. **F**

Exception: Transoms conforming to Section 904.4.2 of this code shall be accepted.

905.8 Finishes: Where finish materials are required to have a flame-spread classification of Class C or better in accordance with NFPA 101, Life Safety Code for new construction, existing nonconforming materials shall be surfaced with an approved fire-retardant paint or finish. **F**

Exception: Existing nonconforming materials need not be surfaced with an approved fire-retardant paint or finish when the building is equipped throughout with an automatic fire suppression system installed in accordance with NFPA 13, and the nonconforming materials can be substantiated as historical in character.

905.9 One-hour fire-resistive assemblies: In buildings protected throughout by a fire alarm system installed in accordance with section 602.6 of this Code or an automatic suppression system in accordance with NFPA 13 or NFPA 13R, where one-hour fire-resistive construction is required by this code, it need not be provided regardless of construction or occupancy where the existing wall and ceiling finish is wood lathe and plaster or provides an approximate twenty (20) minute rating. **F**

905.10 Stairs and railings: Existing stairways shall comply with the requirements of this code. The local jurisdiction shall grant alternatives for historically significant stairways and railings if alternative stairways are found to be acceptable or if judged as meeting the intent of this Code. Existing open stairways shall comply with Section 904.10. **F**

905.11 Exit signs: The local jurisdiction may accept alternate exit sign locations where such signs would have an adverse effect upon the historical character. Such signs shall identify the exits and exit path. **F**

905.12 Exit stair live load: Existing historical stairways in buildings changed to Groups R-1 and R-2 shall be accepted where it can be shown that the stairway can support a 75 pounds per square foot live load. **B**

905.13 Natural light: When it is determined by the local jurisdiction that compliance with the natural light requirements of Section 705.1 will lead to loss of historical character and/or historical materials in the building, the existing level of natural lighting shall be considered acceptable. **B**

905.14 Energy Conservation: Historical buildings shall comply with the requirements of Section 706.0 to the fullest extent possible without altering the historical fabric of the building. **B**

NOTE: Where the section is followed by the letter “B”, “F”, or “O”, the following meaning shall apply:

“B” This means that the Building Official or the Plumbing, Mechanical or Electrical Inspector shall review the plans, issue the permit, inspect the installation, and approve the final certificate.

“F” This means that the Fire Official shall review the plans for approval, the Fire Official and/or the Building Official inspects the installation, and the Fire Official observes the final test and approves the final installation. The Building Official shall issue the permits.

“O” This would indicate another State agency approval and inspection is needed. An explanation will indicate the agency and approvals needed.

Rhode Island Rehab Code
Chapter 10. Accessibility

1001.0 General

1001.1 All buildings, with the exception of those determined to be historical and so certified under the provisions of Chapter 9 of this code, shall further comply with the standards outlined herein. **B**

1001.2 All buildings certified as historical buildings under the provisions of Chapter 9 of this code shall also comply with the standards herein. **BO**

Exception: Where such modifications to the existing building are determined, by the State Historical Preservation Officer, in writing, to adversely impact the historical significance of the building. In all such cases, the owner shall meet with the State Historical Preservation Officer, the Building Commissioner, and the State ADA Coordinator, or their respective designees, to develop alternative means of compliance with this chapter.

1002.0 Requirements

1002.1 General: Any alteration to a facility covered by this code, after passage of this code, shall be made so as to ensure that, to the maximum extent feasible, the altered portions of the facility are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs. **B**

1002.2 Alteration: For the purposes of this chapter, an alteration is a change to a place of public accommodation or a commercial facility that affects or could affect the usability of the building or facility or any part thereof. **B**

1002.3 Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historical restoration, changes or rearrangement in structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions. Normal maintenance, reroofing, painting or wallpapering, asbestos removal, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility. **B**

1002.4 If existing elements, spaces, or common areas are altered, then each such altered element, space, or area shall comply with the applicable provisions of the American with Disabilities Act Accessibility Guidelines (ADAAG). **B**

1002.5 To the maximum extent feasible: The phrase “to the maximum extent feasible”, as used in this section, applies to the occasional case where the nature of an existing facility makes it virtually impossible to comply fully with applicable accessibility standards through a planned alteration. In these circumstances, the alteration shall provide the maximum physical accessibility feasible. Any altered features of the facility that can be made accessible shall be made accessible. If providing accessibility in conformance with this section to individuals with certain disabilities (e.g., those who use wheelchairs) would not be feasible, the facility shall be made accessible to persons with other types of disabilities (e.g., those who use crutches, those who have impaired vision or hearing, or those who have other impairments). **B**

1003.0 Alterations: Path of Travel

1003.1 General. An alteration that affects or could affect the usability of or access to an area of a facility that contains a primary function shall be made so as to ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving the altered area, are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, unless the cost and scope of such alterations is disproportionate to the cost of the overall alteration. **B**

1003.2 Primary function: A “primary function” is a major activity for which the facility is intended. Areas that contain a primary function include, but are not limited to, the customer services lobby of a bank, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public accommodation or other private entity using the facility are carried out. Mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors, and restrooms are not areas containing a primary function. **B**

1003.3 Alterations to an area containing a primary function: Alterations that affect the usability of or access to an area containing a primary function include, but are not limited to: **B**

- a. Remodeling merchandise display areas or employee work areas in a department store;
- b. Replacing an inaccessible floor surface in the customer service or employee work areas of a bank;
- c. Redesigning the assembly line area of a factory; or
- d. Installing a computer center in an accounting firm.

1003.4 For the purposes of this section, alterations to windows, hardware, controls, electrical outlets, and signage shall not be deemed to be alterations that affect the usability of or access to an area containing a primary function. **B**

1003.5 Landlord/tenant: If a tenant is making alterations as defined in Section 1002.2 that would trigger the requirements of this section, those alterations by the tenant in areas that only the tenant occupies do not trigger a path of travel obligation upon the landlord with respect to areas of the facility under the landlord’s authority, if those areas are not otherwise being altered. **B**

1003.6 Path of travel: A “path of travel” includes a continuous, unobstructed way of pedestrian passage by means of which the altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility, and other parts of the facility. **B**

1003.7 An accessible path of travel may consist of walks and sidewalks, curb ramps and other interior or exterior pedestrian ramps; clear floor paths through lobbies, corridors, rooms, and other improved areas; parking access aisles; elevators and lifts; or a combination of these elements. **B**

1003.8 For the purposes of this code, the term “path of travel” also includes the restrooms, telephones, and drinking fountains serving the altered area. **B**

1003.9 Disproportionality: Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds twenty (20%) percent of the cost of the alteration to the primary function area. **B**

1003.10 Costs that may be counted as expenditures required to provide an accessible path of travel may include: **B**

- a. Costs associated with providing an accessible entrance and an accessible route to the altered area, for example, the cost of widening doorways or installing ramps; **B**
- b. Costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls; **B**
- c. Costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a telecommunications device for deaf persons (TDD); **B**
- d. Costs associated with relocating an inaccessible drinking fountain. **B**

1003.11 Duty to provide accessible features in the event of disproportionality:. When the cost of alterations necessary to make the path of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the path of travel shall be made accessible to the extent that it can be made accessible without incurring disproportionate costs. **B**

1003.12 In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, in the following order: **B**

- a. An accessible entrance;
- b. An accessible route to the altered area;
- c. At least one accessible restroom for each sex or a single unisex restroom;
- d. Accessible telephones;
- e. Accessible drinking fountains; and
- f. When possible, additional accessible elements such as parking, storage, and alarms.

1003.13 Series of smaller alterations. The obligation to provide an accessible path of travel may not be evaded by performing a series of small alterations to the area served by a single path of travel if those alterations could have been performed as a single undertaking. **B**

1003.14 If an area containing a primary function has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area, or a different area on the same path of travel, are undertaken within three years of the original alteration, the total cost of alterations to the primary function areas on that path of travel during the preceding three year period shall be considered in determining whether the cost of making that path of travel accessible is disproportionate. **B**

1003.15 Only alterations undertaken after the passage of this chapter shall be considered in determining if the cost of providing an accessible path of travel is disproportionate to the overall cost of the alterations. **B**

1004.0 Alterations: Elevator Exemption

1004.1 This section does not require the installation of an elevator in an altered facility that is less than three stories or has less than 3,000 square feet per story, except with respect to any facility that houses a shopping center, a shopping mall, the professional office of a health care provider, a terminal, depot, or other station used for specified public transportation, or an airport passenger terminal. **B**

1004.2 For the purposes of this section, “professional office of a health care provider” means a location where a person or entity regulated by a state to provide professional services related to the physical or mental health of an individual makes such services available to the public. The facility that houses a “professional office of a health care provider” only includes floor levels housing by at least one health care provider, or any floor level designed or intended for use by at least one health care provider. **B**

1004.3 For the purposes of this section, shopping center or shopping mall means: **B**

- a. A building housing five or more sales or rental establishments; or
- b. A series of buildings on a common site, connected by a common pedestrian access route above or below the ground floor, that is either under common ownership or common control or developed either as one project or as a series of related projects, housing five or more sales or rental establishments. The facility housing a “shopping center or shopping mall” only includes floor levels housing at least one sales or rental establishment, or any floor level designed or intended for use by at least one sales or rental establishment.

1004.4 The exemption provided in Section 1004.1 does not obviate or limit in any way the obligation to comply with the other accessibility requirements established in this subpart. For example, alterations to floors above or below the accessible ground floor must be accessible regardless of whether the altered facility has an elevator. **B**

1005.0 Removal of Barriers

1005.1 General: A facility covered by this code shall remove architectural barriers in existing facilities, including communication barriers that are structural in nature, where such removal is readily achievable, i.e., easily accomplishable and able to be carried out without much difficulty or expense. **B**

1005.2 Examples: Examples of steps to remove barriers include, but are not limited to, the following actions: **B**

- a. Installing ramps;
- b. Making curb cuts in sidewalks and entrances;
- c. Repositioning shelves;
- d. Rearranging tables, chairs, vending machines, display racks, and other furniture;
- e. Repositioning telephones;
- f. Adding raised markings on elevator control buttons;
- g. Installing flashing alarm lights;
- h. Widening doors;
- i. Installing offset hinges to widen doorways;
- j. Eliminating a turnstile or providing an alternative accessible path;
- k. Installing accessible door hardware;
- l. Installing grab bars in toilet stalls;
- m. Rearranging toilet partitions to increase maneuvering space;
- n. Insulating lavatory pipes under sinks to prevent burns;
- o. Installing a raised toilet seat;
- p. Installing a full-length bathroom mirror;
- q. Repositioning the paper towel dispenser in a bathroom;
- r. Creating designated accessible parking spaces;
- s. Installing an accessible paper cup dispenser at an existing inaccessible water fountain;
- t. Removing high pile, low density carpeting.

1005.3 Priorities: A public accommodation is urged to take measures to comply with the barrier removal requirements of this section in accordance with the following order of priorities. **B**

1005.3.1 First, a public accommodation should take measures to provide access to a place of public accommodation from public sidewalks, parking or public transportation. These measures include, for example, installing an entrance ramp, widening entrances, and providing accessible parking spaces. **B**

1005.3.2 Second, a public accommodation should take measures to provide access to those areas of a place of public accommodation where goods and services are made available to the public. These measures include, for example, adjusting the layout of display racks, rearranging tables, providing Brailled and other raised character signage, widening doors, providing visual alarms, and installing ramps. **B**

1005.3.3 Third, a public accommodation should take measures to provide access to restroom facilities. These measures include, for example, removal of obstructing furniture or vending machines, widening of doors, installation of ramps, providing accessible signage, widening of toilet stalls, and installation of grab bars. **B**

1005.3.4 Fourth, a public accommodation should take any other measures necessary to provide access to the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation. **B**

1005.4 Relationship to alterations requirements of Section 1003.

1005.4.1 Except as provided in section 1004.2, measures taken to comply with the barrier removal requirements of this section shall comply with the applicable requirements for alterations in Sections 1002 and 1004 for the element being altered. The path of travel requirements of Section 1003 shall not apply to measures taken solely to comply with the barrier removal requirements of this section. **B**

1005.4.2 If, as a result of compliance with the alterations requirements specified in Section 1005.4.1 the measures required to remove a barrier would not be readily achievable, a public accommodation may take other readily achievable measures to remove the barrier that do not fully comply with the specified requirements. Such measures include, for example, providing a ramp with a steeper slope or widening a doorway to a narrower width than that mandated by the alterations requirements. No measure shall be taken, however, that poses a significant risk to the health or safety of individuals with disabilities or others. **B**

1005.5 Portable ramps. Portable ramps should be used to comply with this section only when installation of a permanent ramp is not readily achievable. In order to avoid any significant risk to the health or safety of individuals with disabilities or others in using portable ramps, due consideration shall be given to safety features such as non-slip surfaces, railings, anchoring, and strength of materials. **B**

1005.6 Selling or serving space. The rearrangement of temporary or movable structures, such as furniture, equipment, and display racks is not readily achievable to the extent that it results in a significant loss of selling or serving space. **B**

1005.7 Limitation on barrier removal obligations.

1005.7.1 The requirements for barrier removal under Section 1005 shall not be interpreted to exceed the standards for alterations in ADAAG. **B**

1005.7.2 To the extent that relevant standards for alterations are not provided in Section 1005, then the requirements of Chapter 10 shall not be interpreted to exceed the standards for new construction in ADAAG. **B**

NOTE: Where the section is followed by the letter “B”, “F”, or “O”, the following meaning shall apply:

“B” This means that the Building Official or the Plumbing, Mechanical or Electrical Inspector shall review the plans, issue the permit, inspect the installation, and approve the final certificate.

“F” This means that the Fire Official shall review the plans for approval, the Fire Official and/or the Building Official inspects the installation, and the Fire Official observes the final test and approves the final installation. The Building Official shall issue the permits.

“O” This would indicate another State agency approval and inspection is needed. An explanation will indicate the agency and approvals needed.

Rhode Island Rehab Code
Chapter 11. Relocated or Moved Buildings

1101.0 General

1101.1 Scope: This chapter provides requirements for relocated or moved structures. **B**

1101.2 Conformance: The building shall be safe for human occupancy as determined by the Fire Code and the Building Code. Any repair, alteration, or change in occupancy undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of the Building Code. **BF**

1102.0 Requirements

1102.1 Location on the Lot: The building shall be located on the lot in accordance with the requirements of the Building Code. **B**

1102.2 Foundation: The foundation system of relocated buildings shall comply with the Building Code **B**

1102.2.1 Connection to the Foundation: The connection of the relocated building to the foundation shall comply with the Building Code. **B**

1102.3 Wind Loads: Building shall comply with the Building Code wind provisions. **B**

Exceptions:

1. All use groups where wind loads at the new location are not higher than the previous location.
2. Structural elements whose stress is not increased by more than five (5%) percent.

1102.4 Snow loads: Structure shall comply with Building Code snow loads where snow loads at the new location are higher than the previous location. **B**

Exception: Structural elements whose stress is not increased by more than five (5%) percent.

1102.5 Flood hazard areas: If relocated or moved into a flood hazard area, structures shall comply with the Building Code Section 3107. **B**

1102.6 Required Inspection and Repairs: The code official shall be authorized to inspect, or require inspection by approved professionals at the expense of the owner, the various structural parts of a relocated building to verify that structural components and connections have not sustained structural damage. Any repairs required by the code official as a result of such inspection shall be made prior to the final approval. **B**

NOTE: Where the section is followed by the letter “B”, “F”, or “O”, the following meaning shall apply:

“B” This means that the Building Official or the Plumbing, Mechanical or Electrical Inspector shall review the plans, issue the permit, inspect the installation, and approve the final certificate.

“F” This means that the Fire Official shall review the plans for approval, the Fire Official and/or the Building Official inspects the installation, and the Fire Official observes the final test and approves the final installation. The Building Official shall issue the permits.

“O” This would indicate another State agency approval and inspection is needed. An explanation will indicate the agency and approvals needed.

Rhode Island Rehab Code
Chapter 12. Construction Safeguards

1201.0 General

1201.1 Scope: The provisions of the chapter shall govern safety during construction which is under the jurisdiction of this code and the protection of adjacent public and private properties. **B**

1201.2 Storage and placement: Construction equipment and materials shall be stored and placed so as not to endanger the public, the workers or adjoining property for the duration of the construction project. **B**

1201.3 Alterations, repairs and additions: Required exits, existing structural elements, fire protection devices and sanitary safeguards shall be maintained at all times during alterations, repairs or additions to any building or structure. **B**

Exceptions:

- 1. When such required elements or devices are being altered or repaired, adequate substitute provisions shall be made.*
- 2. When the existing building is not occupied.*

1201.4 Manner of removal: Waste materials shall be removed in a manner which prevents injury or damage to persons, adjoining properties and public rights-of-way. **B**

1201.5 Facilities required: Sanitary facilities shall be provided during construction or demolition activities in accordance with the International Plumbing Code. **B**

1201.6 Protection of pedestrians: Pedestrians shall be protected during construction and demolition activities as required by Sections 1201.6.1 through 1201.6.7 and Table 1201.6. Signs shall be provided to direct pedestrian traffic. **B**

Table 1201.6
PROTECTION OF PEDESTRIANS

HEIGHT OF CONSTRUCTION	DISTANCE OF CONSTRUCTION TO LOT LINE	TYPE OF PROTECTION REQUIRED
8 feet or less	Less than 5 feet	Construction railings
	5 feet or more	None
More than 8 feet	Less than 5 feet	Barrier and covered walkway
	5 feet or more, but not more than one-fourth the height of construction	Barrier and covered walkway
	5 feet or more, but between one-fourth and one-half the height of construction	Barrier
	5 feet or more, but exceeding one-half the height of construction	None

1 foot = 304.8 mm

1201.6.1 Walkways: A walkway shall be provided for pedestrian travel in front of every construction and demolition site unless the appropriate authority authorizes the sidewalk to be fenced or closed. Walkways shall be of sufficient width to accommodate the pedestrian traffic, but in no case shall they be less than 4 feet (1219 mm) in width. Walkways shall be provided with a durable walking surface. Walkways shall be accessible in accordance with Chapter 11 of the Building Code and shall be designed to support all imposed loads and in no case shall the design live load be less than 150 psf (7.2kN/m²). **B**

1201.6.2 Directional barricades: Pedestrian traffic shall be protected by a directional barricade where the walkway extends into the street. The directional barricade shall be of sufficient size and construction to direct vehicular traffic away from the pedestrian path. **B**

1201.6.3 Construction railings: Construction railings shall be at least 42 inches (1067 mm) in height and shall be sufficient to direct pedestrians around construction areas. **B**

1201.6.4 Barriers: Barriers shall be a minimum of 8 feet (2438 mm) in height and shall be placed on the side of the walkway nearest the construction. Barriers shall extend the entire length of the construction site. Openings in such barriers shall be protected by doors which are normally kept closed. **B**

1201.6.4.1 Barrier design: Barriers shall be designed to resist loads required in Chapter 10 of the Building Code unless constructed as follows: **B**

1. Barriers shall be provided with 2 x 4 top and bottom plates.
2. The barrier material shall be a minimum of ¾ inch (19.1mm) boards or ¼ inch (6.4 mm) wood structural use panels.
3. Wood structural use panels shall be bonded with an adhesive identical to that for exterior wood structural use panels.
4. Wood structural use panels ¼ inch (6.4 mm) or 1/16 inch (23.8 mm) in thickness shall have studs spaced not more than 2 feet (610 mm) on center.
5. Wood structural use panels 1/3 inch (9.5 mm) or ½ inch (12.7 mm) in thickness shall have studs spaced not more than 4 feet (1219 mm) on center, provided a 2 inch by 4 inch (51 mm by 102 mm) stiffener is placed horizontally at the mid-height where the stud spacing exceeds 2 feet (610 mm) on center.
6. Wood structural use panels 5/8 inch (15.9 mm) or thicker shall not span over 8 feet (2438 mm).

1201.6.5 Covered walkways: Covered walkways shall have a minimum clear height of 8 feet (2438 mm) as measured from the floor surface to the canopy overhead. Adequate lighting shall be provided at all times. Covered walkways shall be designed to support all imposed loads. Openings in the overhead structure are prohibited. In no case shall the design live load be less than 150 psf (7.2 kN/m²) for the entire structure. **B**

Exception: Roofs and supporting structures of covered walkways for new, light-frame construction not exceeding two stories in height are permitted to be designed for a live load of 75 psf (3.6kN/m²) or the loads imposed on them, whichever is greater. In lieu of such design, the roof and supporting structure of a covered walkway is permitted to be constructed as follows:

1. Footings shall be continuous 2 x 6 members.
2. Posts not less than 4 x 6 shall be provided on both sides of the roof and spaced not more than 12 feet (3658 mm) on center.
3. Stringers not less than 4 x 12 shall be placed on edge upon the posts.
4. Joists resting on the stringers shall be at least 2 x 8 and shall be spaced not more than 2 feet (610) mm on center.
5. The deck shall be planks at least 2 inches (51 mm) thick or wood structural panels with an exterior exposure durability classification at least 23/32 inch (18.3 mm) thick nailed to the joists.
6. Each post shall be knee-braced to joists and stringers by 2 x 4 minimum members 4 feet (1219 mm) long.
7. A 2 x 4 minimum curb shall be set on edge along the outside edge of the deck.

1201.6.6 Repair, maintenance and removal: Pedestrian protection required by Section 1201.6 shall be maintained in place and kept in good order for the entire length of time pedestrians may be endangered. The owner or the owner's agent, upon the completion of the construction activity, shall immediately remove walkways, debris and other obstructions and leave such public property in as good a condition as it was before such work was commenced. **B**

1201.6.7 Adjacent to excavations: Every excavation on a site located 5 feet (1524 mm) or less from the street lot line shall be enclosed with a barrier not less than 6 feet (1829 mm) high. Where located more than 5 feet (1524 mm) from the street lot line, a barrier shall be erected when required by the code official. Barriers shall be of adequate strength to resist wind pressure as specified in Chapter 10 of the Building Code. **B**

1202.0 Protection of Adjoining Property

1202.1 Protection required: Adjoining public and private property shall be protected from damage during construction and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water run-off and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavations. **B**

1203.0 Temporary Use of Streets, Alleys and Public Property

1203.1 Storage and handling of materials: The temporary use of streets or public property for the storage or handling of materials or of equipment required for construction or demolition and the protection provided to the public shall comply with the provisions of this chapter at the direction and to the satisfaction of the appropriate authority. **B**

1203.2 Obstructions: Construction materials and equipment shall not be placed or stored so as to obstruct access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6.1 m) of a street intersection, or placed so as to obstruct normal observations of traffic signals or to hinder the use of public transit loading platforms. **B**

1203.3 Utility fixtures: Building materials, fences, sheds or any obstruction of any kind shall not be placed so as to obstruct free approach to any fire hydrant, fire department connection, utility pole, manhole, fire alarm box, or catch basin, or so as to interfere with the passage of water in the gutter. Protection against damage shall be provided to such utility fixtures during the progress of the work, but sight of them shall not be obstructed. **B**

1204.0 Fire Extinguishers

1204.1 Where required: All structures under construction, alteration or demolition shall be provided with not less than one approved portable fire extinguisher at each stairway of all floor levels where combustible materials have accumulated. An approved portable fire extinguisher shall be provided in every storage and construction shed. The code official is authorized to require additional approved portable fire extinguishers where special hazards exist, such as flammable or combustible liquid storage hazards. Fire extinguishers shall comply with the State Fire Code. **F**

1204.2 Fire hazards: The provisions of this code and of the State Fire Code shall be strictly observed to safeguard against all fire hazards attendant upon construction operations. **F**

1205.0 Exits

1205.1 Stairways required: Where an existing building exceeding 50 feet (15240 mm) in height is altered, at least one temporary lighted stairway shall be provided unless one or more of the permanent stairways are available for egress as the construction progresses. **F**

1205.2 Maintenance of exits: Required exits shall be maintained at all times during alterations and additions to any building. **F**

1206.0 Standpipes System

1206.1 Where required: Buildings required to have a standpipe system in accordance with this code shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed where the progress of construction is more than 40 feet (12192 mm) in height above the lowest level of fire department access. Such standpipes shall be provided with fire department hose connections at accessible locations adjacent to usable stairs. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. **F**

1206.2 Buildings being demolished: Where a building or portion of a building is being demolished and a standpipe is existing within such a building, such standpipe shall be maintained in an operable condition so as to be available for use by the fire department. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished. **F**

1206.3 Detailed requirements: Standpipes shall be installed in accordance with the provisions of Chapter 9 of the International Building Code. **F**

Exception: Standpipes shall be either temporary or permanent in nature, and with or without a water supply, provided that such standpipes conform to the requirements of the Building Code as to capacity, outlets, and materials.

1206.4 Water supply: Water supply for fire protection, either temporary or permanent shall be made available as soon as combustible material accumulates. **F**

1207.0 Automatic Sprinkler System

1207.1 Completion before occupancy: In portions of a building where an automatic sprinkler system is required by this code, it shall be unlawful to occupy those portions of the building until the automatic sprinkler system installation has been tested, approved, and placed into service. **F**

1207.2 Operation of valves: Operation of sprinkler control valves shall be permitted only by properly authorized personnel and shall be accompanied by notification of duly designated parties. When the sprinkler protection is being regularly turned off and on to facilitate connection of newly completed segments, the sprinkler control valves shall be checked at the end of each work period to ascertain that protection is in service. **F**

1208.0 Additional Fire Protection Safeguards: Additional fire protection safeguards, as outlined in Chapter 29 of the NFPA Fire Prevention Code 1, 2000 Edition, shall be utilized during construction. **F**

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